

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Writ Petition No.18 of 2015

The State of Maharashtra.

.. Petitioner.

Versus

Rajaram Jaywant Shelke
And Others.

.. Respondents.

Shri. S.A. Ambad, Additional Public Prosecutor, for
petitioner.

Shri. Sunil V. Warad, Advocate, for respondent No.3.

Shri. R.S. Sarvadnya, Advocate, for respondent No.4.

Shri. N.V. Gaware, Advocate, for respondent Nos.7 & 12.

Shri. N.B. Suryawanshi, Advocate, for respondent No.10.

CORAM: T.V. NALAWADE, J.

DATE : 26th JUNE 2015

ORDER:

1) The petition is filed to challenge the order made by the learned Additional Sessions Judge, Ahmednagar in Session case No.44 of 2011. The State had filed application Exhibit 485 and had requested to giving exhibit to carbon copy of post mortem report tendered in

evidence by the State. Witness was examined to prove this document. It appears that doctor, who conducted post mortem was examined by the State already and the post mortem report was given exhibit. It appears that the original post mortem report was not bearing signature of the doctor and so the State has produced carbon copy bearing signatures and evidence of aforesaid nature was given. It can be said that there is misconception of some kind. What is important is the substantive evidence given by the doctor who conducted post mortem. Post mortem report is prepared only to create record of the examination. Thus, more importance is given to the substantive evidence and not to the document. The trial Court will be in a position to appreciate the things. Thus, there is no reason to interfere in the order made by the learned Additional Sessions Judge. The application is dismissed.

Sd/-
(T.V. NALAWADE, J.)

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