

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [APL] No. 294 of 2014
[Ramdas son of Tukaram Thakre Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. A.B. Moon, Adv., for the Applicant.
Mr. Dharmadhikari, APP for respondent.

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CORAM : A.B. CHAUDHARI, J.

DATE : 12th June, 2015.

What is under challenge is the order dated 16th November, 2013, passed by learned Additional Sessions Judge, Akot, below Exh.42 in Sessions Trial No. 23 of 2009, by which the application made by the applicant for directing the prosecution to furnish copies of statements of Smt. Vimal Shrikrishna Palaskar and other neighbours of the complainant was partly allowed.

Learned counsel for the applicant vehemently argued that the Trial Court was obliged to order production of statements of other neighbours as sought by the accused in his application [Exh.42], and had

erred in not issuing that direction.

Upon hearing learned counsel for the rival parties, I find that the applicant-accused is beating around the bush. He does not know the names of other neighbours whose statements he wants the prosecution to produce. Such a vague application or request cannot be made. That apart, it is the choice of the prosecution on whose statement or evidence it wants to rely and it is not the business of the accused on whose statement the prosecution should rely before the prosecution completes its case. That being so, I find no merit in the application. Hence it is dismissed.

Judge

[hedau]