

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.549 OF 2016

...
 Shri Devendrakumar Kishanlalji Bapna
 and others.

...Applicants

v/s.

Tripti Rajendra Karji and ors.

...Respondents

...
 Mr.Manish Jain i/b S.M.Jain & Associates for the Applicants.
 Mrs.S.V.Sonawane, APP for the Respondent No.2.
 ...

CORAM : A.S.OKA &

A.A. SAYED, JJ.

DATED : 13 OCTOBER 2016

P.C.:

Learned Counsel appearing for the Applicants does not dispute that the charge sheet has been filed. He states that CCTV footage recorded on the camera installed in the shop of the Applicants is a part of the charge sheet. His submission is that the CCTV footage will completely defeat the case of the prosecution.

2. As the CCTV footage is a part of the charge sheet, while arguing the application for discharge, the Applicants can always rely upon the CCTV footage and the learned Magistrate will have to examine the CCTV footage.

3. As a remedy is available to the Applicants, subject to what is observed above, we dispose of the Application by keeping open the said remedy. It will be open for the Applicants to make an application before the learned Magistrate for giving priority to hearing the discharge application. All contentions on merits are kept open.

(A.A. SAYED, J.)

(A.S.OKA, J.)