

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION No. 83 OF 2019**

Santosh Pandurang Patil ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

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Ms.Sonal Parab i/b.Rajeev Sawant and Associates for the Applicant.  
Mrs.Veera Shinde, APP for Respondent No.1-State.

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**CORAM : MRS. MRIDULA BHATKAR, J.  
DATE : 22 JANUARY 2019**

**P.C.:**

1. Upon urgent mentioning, taken on production board.
2. This Application is moved under section 482 of the Code of Criminal Procedure.
3. By this Application, the applicant prays that the order dated 28<sup>th</sup> November, 2018 passed by the learned Addl. Sessions Judge & Special Judge under MCOC/TADA/POTA/NIA/SUSCA Act, Greater Mumbai in MCOC Special Case No. 6 of 2016, thereby allowing the application of accused No.1 to furnish the details of SDR and CDR for the period from 03.11.2015 to 20.12.2015 of the mobile numbers as specified in the order is to be quashed and set aside.

4. The learned counsel for the applicant submits that the applicant is the original complainant. She further submits that two witnesses have been examined in this matter. This is not the time to provide the details of SDR and CDR to the defence, which may affect the case of the prosecution.

5. Perused impugned order. By an order dated 17<sup>th</sup> December, 2016, the learned Special Judge had preserved the details of SDR and CDR. It is a choice of the defence when to use that particular details, which is a part of the chargesheet and the investigation. The applicant has in fact no locus to make such application. The prosecution has not challenged the order. No illegality is found in the order dated 28<sup>th</sup> November, 2018 passed by the learned Addl. Sessions Judge & Special Judge under MCOC/TADA/POTA/NIA/SUSCA Act, Greater Mumbai. Hence, Criminal Application is dismissed.

**(MRIDULA BHATKAR, J.)**