

GRM

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

CRIMINAL WRIT PETITION NO. 474 OF 2023

Sujit Ramesh Dahale ... Petitioner

V/s.

The State of Maharashtra ... Respondent

Mr. Tusshar C. Nirbhavne, Adv. for the Petitioner.

Ms. Anamika Malhotra, APP for the State/Respondent.

CORAM : R. G. AVACHAT, J.

DATED : FEBRUARY 7, 2023

P.C. :

Heard.

2. The Trial Court has refused to furnish the petitioner a statement of informant recorded under Section 164 of the Code of Criminal Procedure, 1973 for the reason mentioned in the order dated 21/09/2022 that it is a part of evidence and it is in a sealed envelop; the copy can be furnished only when the informant will appear before the Court on summons for evidence.

3. It is informed that the charge-sheet has been filed and cognizance of the offence has been taken. In the said scenario, the Trial Court ought to have supplied the petitioner a copy of statement of informant recorded under Section 164 of Cr.P.C.

4. The Trial Court is therefore directed to supply the petitioner a copy of statement of informant recorded under Section 164 of Cr.P.C.

5. With this, writ petition no. 474/2023 to stand disposed of.

(R. G. AVACHAT, J.)