



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Revision Application No. 191 of 2023

Mudassir Zuberi and anr. **..vs..** The State of Maharashtra thr. PS.O., PS. Lakadganj, Nagpur]
with

Criminal Revision Application No. 184 of 2023

[Nitin Bhagwanji Tumsare **..vs..** The State of Maharashtra thr. PS. Lakadganj, Nagpur]
with

Criminal Revision Application No. 186 of 2023

[Rohit S/o Sanjay Samudre **..vs..** The State of Maharashtra thr. PS.O., PS. Lakadganj, Nagpur]
with

Criminal Revision Application No. 187 of 2023

[Vishwajit Eknath Humne **..vs..** The State of Maharashtra thr. PS.O., PS. Lakadganj, Nagpur]
with

Criminal Revision Application No. 188 of 2023

[Arpit Anilkumar Agrawal **..vs..** The State of Maharashtra thr. PS.O., PS. Lakadganj, Nagpur]

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

Court's or Judge's orders

Mr. M. A. Qureshi, Advocate for the applicants in Revn 191/2023
Mr. U. P. Dable, Advocate for the applicant in Revn 184/2023
Mr. Bhushan Dafle, Advocate for the applicant in Revn 186/2023
Mr. A. D. Mohgaonkar with Mr. D. A. Mohgaonkar, Advocate for the
applicant in Revn 187/2023
Mr. R. H. Rawlani, Advocate for the applicant in Revn 188/2023
Mr. A. R. Chutake with Mrs. M. H. Deshmukh, APPs for the State

CORAM : ANIL L. PANSARE J.

DATED : 6-10-2023

**Criminal Application (APPR) No. 329 of 2023 in Criminal
Revision Application No. 187 of 2023**

By present application, the applicant-original accused no. 4 has prayed for issuance of summons to PW. 3 Avinash Gangadhar Shankarpurkar and author of the letter, Exhibit 193. The permission is sought in view of the order passed by this Court dated 15-9-2023 by which the letter, Article 'B' has been marked as Exhibit 193.

Learned Additional Public Prosecutor has opposed the application on the ground that the document has

been brought on record at the instance of defence and, therefore, no further opportunity be given.

The evidence led before the trial Court indicates that though the document has been brought on record at the instance of defence, the document was not shown to the witness and the witness was not cross-examined, may be because the document was not marked exhibit. Since the document has been now marked exhibit, the defence will have to be given an opportunity to cross-examine the witness. Hence, following order.

ORDER

- (i) Issue witness summons to P.W. 3 Avinash Gangadhar Shankarpurkar and the author of the document, Exhibit 193, returnable on 21-10-2023.
- (ii) Additional Sessions Judge-11, Nagpur shall record the evidence on that day or soon thereafter. The evidence shall be completed on or before 30-10-2023 and shall be certified and sent to this Court by 3-11-2023.
- (iii) The witnesses and the parties shall appear before the Sessions Court, Nagpur at 11.00 a.m. on 21-10-2023 and shall cooperate with the Sessions Court to record the evidence as directed by this Court.
- (iv) The application is disposed of in above terms.
- (v) R & P be sent back to the Sessions Court, Nagpur.

Criminal Revision Application Nos. 191, 184, 186, 187 and 188 of 2023

Learned Additional Public Prosecutor Mr. A. R. Chutake submits that he intends to file application under

Section 391 of the Code of Criminal Procedure for examining one of the witnesses, namely, Mr. Vishal Fulzele and accordingly makes a request to list these revision applications on 12-10-2023.

Stand over to 12-10-2023.

(Anil L. Pansare, J.)

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