



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO. 1665 OF 2025

Bhagwan S/o Kacharuba Saksamudre  
Age. 50 years, Occu. Journalist and Contractor  
R/o. Parali Tq. Parali Dist. Beed

..PETITIONER

VERSUS

1. The State of Maharashtra  
Through Ch. Sambhaji Nagar Police Station, Parali  
Tq. Parali Dist. Beed.
2. Sachin S/o. Ishwar Kagade  
Age: 48 Years, Occu. Contractor  
R/o. Shivaji Nagar, Parali  
Tq. Parali Dist. Beed
3. Rahul S/o Ishwar Kagade  
Age: 46 Years, Occu. Contractor  
R/o. Shivaji Nagar, Parali  
Tq. Parali Dist. Beed
4. Sharnam S/o Dagadu Tate  
Age: 43 Years, Occu. Labour  
R/o. Bhim Nagar, Parali  
Tq. Parali Dist. Beed
5. Santosh S/o. Dagadu Pise  
Age: 48 Years, Occu. Labour  
R/o. TPS Thermal Colony, Parali  
Tq. Parali Dist. Beed
6. Sunil @Kartik S/o. Bhausahab Kamble  
Age: 32 Years, Occu. Shopkeeper  
R/o. Siddharth Nagar Parali  
Tq. Parali Dist. Beed.
7. Bhima @Bhimrao S/o. Rambhau Poule  
Age: 59 Years, Occu. Business  
R/o. Shivaji Nagar, Parali  
Tq. Parali Dist. Beed

..RESPONDENTS

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Mr. K.D. Paikrao, Advocate for the petitioner  
Mr. S.S. Dande, A.P.P for respondent no.1 - State  
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**CORAM : ABHAY J. MANTRI, J.**  
**DATE : 09<sup>th</sup> DECEMBER, 2025**

**ORAL JUDGMENT :**

1. Heard. **Rule.** Rule is made returnable forthwith and heard finally with the consent of learned counsel for both parties.
2. By this petition, the petitioner is challenging the order dated 01<sup>st</sup> November, 2025, passed below Exh. 76 in Sessions Case No. 6 of 2021, whereby the application filed by the petitioner to permit him to produce the documents on record was rejected.
3. Learned counsel for the petitioner submitted that the documents which the petitioner wants to produce, i.e. screenshots of CCTV footage, the part of the charge-sheet as mentioned at Sr.No.3 of the seized muddemal, and therefore, he submitted that rejection of the application is illegal. He further submitted that, in the application, it is incorrectly stated “the CCTV footage shown,” but the applicant seeks to produce screenshots of the CCTV footage. He therefore urged the issuance of notice to the respondents.
4. Having gone through the record, it appears that the evidence of the prosecution has been completed and the statement of accused no.1 – Sachin has been recorded under Section 313 of the Code of Criminal

Procedure (for short, 'Cr.P.C') on 24<sup>th</sup> September, 2025. Thereafter, the petitioner has filed this application to permit him to produce the document. The learned Additional Sessions Judge, after considering the material on record, passed the detailed order and, in paragraph no.15 onwards, dealt with the same and held that the documents sought to be produced were never part of the charge-sheet filed under Section 173 of the Cr.P.C. Therefore, those documents were never supplied to the accused under Section 207 of the Cr.P.C.. Thus, after recording the statement under Section 313 of the Cr.P.C., if the petitioner is permitted to produce the document on record, then certainly the accused will be deprived of their right to cross-examine the witness regarding the said document. As such, the learned Additional Sessions Judge has rejected the said application.

5. Apart from that, a query was put to learned counsel for the petitioner as to how those documents are relevant or part of the charge-sheet. He failed to explain this Court on the said point. He failed to demonstrate that the documents which he sought to be produced before the trial Court are relevant to the crime in question. Similarly, he failed to specify under which provision the said application was filed. He submitted that, under Section 294 of the Cr.P.C., he has filed the said application, but a perusal of the said section appears to indicate that it deals with the admission and denial of a document. Therefore, I do not find substance in the contention of the petitioner in that regard.

6. Apart from that, under Section 311 of the Cr.P.C., the complainant/original informant is not empowered to produce the document, but the Investigating Officer is empowered to file the document on record, if he wants to produce it. Therefore, I do not find substance in his contention. Similarly, the learned Additional Sessions Judge observed that, if the petitioner were permitted to produce the document on record, it would certainly cause prejudice to the accused's right, and therefore rejected the application. Hence, I do not find any illegality in the impugned order.

7. Having considered the above, it appears that the order passed by the learned Additional Sessions Judge is just and proper. Learned counsel for the petitioner failed to point out any illegality or perversity in it to interfere with the writ jurisdiction. As a result, the petition, being bereft of merits, stands dismissed. The rule is discharged.

Inform this order to the learned Additional Sessions Court accordingly.

**( ABHAY J. MANTRI, J. )**

SSD