

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1486 OF 2025

Vitthal Punjaji Pawar (since deceased) .Petitioner
through its legal heir Mr. Mangesh Vitthal Pawar

ANAND
SUDHAKAR
SUDAME

Versus

The State of Maharashtra & ors. .Respondents

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Mr. Sanjeev B. Deore a/w. Ms. Suchita J. Pawar & Mr. Arman
Ansari, Advocates, for the Petitioner
Ms. G. S. Rao, APP, for Respondent No. 1 – State
Mr. Akshay Bankapure, Advocate, for the Respondents
Mr. K. D. Korade, API, Nashik Road Police Station present

CORAM : S. M. MODAK, J.

DATE : 25.07.2025

P. C.

1. Heard Mr. Deore, Advocate for the Petitioner, Ms. Rao, learned APP for Respondent No. 1 – State and Mr. Bankapure, learned Advocate for the Respondents.
2. The record indicates that during the investigation, the officer has taken samples of the thumb impression as well as signatures and sent it to the State Handwriting Expert. The Accused requested the trial Court to call for report of thumb impression which is on page No. 28. The investigating officer has also confirmed about taking

samples. It was in the year 2009. At that time, report was not there. Learned Magistrate has rejected request made on behalf of the Accused to adjourn recording of evidence. Learned Magistrate rejected it vide Order dated 28.03.2011 which is on page No. 27.

3. The witnesses were examined. Now, it is turn of the Complainant to make similar request to the learned Magistrate. However, it was also rejected which is on page No. 16. It is on account of substantial progress in the trial. This Order is under challenge.

4. Learned APP has placed on record report given by the Senior Police Inspector, Nashik Road Police Station, Nashik City addressed to the Court. He has requested the trial Court to handover the disputed documents and specimen hand writing. Learned Magistrate again rejected that request. If the investigating officer has send that samples of thumb impression and signatures to the hand writing expert, it needs to be seen whether the expert has examined them or not. It is true that the expert has given evidence. The Petitioner to produce its copies.

5. Stand over to **14.08.2025**.

(S. M. MODAK, J.)