

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

CRIMINAL WRIT PETITION NO. 5932 OF 2024

Edward Clint D'costa

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Ranjeet Pawar a/w Mr. Ankit Upadhyay, Advocate for the
Petitioner.

Ms. Anuja Gotad, APP for the Respondent No.1/State.

**CORAM : RAVINDRA V. GHUGE
&
RAJESH S. PATIL, JJ.**

DATE : 8th JANUARY, 2025

P.C. :-

1. This matter was heard Yesterday and further hearing
was conducted today. We expressed our disinclination.

2. The learned Advocate for the Petitioner submits that the
Petitioner may be permitted to withdraw this Petition. However,
though the CCTV footage has been supplied to the Petitioner under
the Right to Information Act, 2005, which is a part of the Petition
paper book, it is the prosecution which will have to produce the
CCTV footage, otherwise the Petitioner would have a difficulty

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since his presentation of the CCTV footage would amount to secondary evidence.

3. The learned APP submits on instructions from the Investigating Officer present in the Court, that the CCTV footage would be produced before the Trial Court along with the chargesheet.

4. The details of the CCTV footage are as under :-

“3rd June, 2024, 10:00 p.m. (22 hours) upto 12:30 a.m. (4th June, 2024) that is 00:30 hours.”

5. By recording the above statement, this **Writ Petition is disposed off** as withdrawn, on instructions.

(RAJESH S. PATIL, J.)

(RAVINDRA V. GHUGE, J.)