

MHNG030023772002



RCC No. 3030147/2002

State -- Vs – Sunil & Ors

**ORDER BELOW EXH.3819**

This is an application made by accused No.3 seeking documents, electronic records, items, data, statements, seized during the investigation in view of orders dated 16.04.2026 and 20.04.2026.

2. In the application, it is contended that, the Ld. APP has filed pursis informing that, the prosecution is ready to supply documents mentioned in para 2.3(A) to 2.3(F) of the application Exh.3801. The Ld. APP has latter supplied a pen drive with 3.50 GB data. However, the documents mentioned in pursis dated 17.04.2026 are not found in the said pen drive. So also, the documents which have been seized under seizure No.10 in presence panch witnesses Rajendra Gangaram More and Arun Laxmanrao Deshmukh are not found. Finally, the accused has prayed for allowing the application.

3. The Ld. Spl. APP has strongly opposed the application by filing reply overleaf of the application. It is submitted that, the accused has received copies of chargesheet as well as supplementary chargesheet. The prosecution has supplied all the documents to the accused in presence of his Ld. Counsel and the accused as per pursis Exh.3810. The prosecution had never informed about supplying documents mentioned in paragraph 2.3(F) of the application Exh.3801. The pen drive was not supplied by the prosecution and the soft copy of entire R&P was supplied by the permission of this Court.

The accused is prolonging the trial. Finally, the Ld. Spl.APP has prayed for rejection of the application.

4. Heard Mr. Pankaj A. Tamboli for accused No.3 and Ld. Spl APP. Perused the record.

5. Accused No.3 had made application Exh.3801 under section 207 of the Code of Criminal Procedure. By order dated 16.04.2026, the accused was directed to make clear whether the documents referred in paragraph 2.3(F) to 2.3(J) are part and parcel of the chargesheet. However, instead of making clear the position, accused No.3 had filed pursis Exh.3814 informing that, some documents are missing in the copies supplied to him. By a detailed order below order dated 20.04.2026 below Exh.3801, the prayers made by accused No.3 in paragraph 5A and 5B of the said application were rejected.

6. The entire record and proceeding of the present case has been scanned for the purpose of the Appeal preferred by the convicted accused persons. In order to expedite the trial against accused No.3, soft copies of the said scanned documents were supplied to accused No.3. In paragraph 8 of the order dated 20.04.2026 below Exh.3801, it is observed that,

*“The present case is for offences punishable under Section 406, 409, 468, 471, 120B r/w 34 of the IPC. The original chargesheet has endorsement dated **22.11.2002** made by the Ld. counsel for accused No.3 in respect of receipt of copy of chargesheet. There is also an endorsement dated **25.08.2003** made by the Ld. Counsel for accused No.3 in respect of receipt of copy of*

*supplementary chargesheet. The charge Exh.3737 was framed against accused No.3 on 26.11.2025. In the plea Exh.3759, in answer to question No.1, accused No.3 has replied that, he has received copy of the chargesheet. The said plea was signed by accused No.3 on 15.12.2025. Thereafter, the prosecution has examined as many as 07 witnesses. However, accused No.3 never raised any objection in respect of having received incomplete copies of chargesheet and supplementary chargesheet since 25.08.2003, i.e., a period of more than 22 years. The accused was well aware that, the trial has been made time bound by the Hon'ble High Court. Record shows that, accused No.3 has changed his advocates on several occasions. The accused has also not availed the opportunity of conducting cross-examination of some of the prosecution witnesses. In short, the application under consideration is an attempt to delay the trial.”*

7. As quoted above, accused No.3 never raised any objection in respect of having received incomplete copies of chargesheet and supplementary chargesheet for more than 22 years. So also, by order dated 20.04.2026 below Exh.3801, accused No.3 has been permitted to inspect the record and proceeding of this Case either personally or through his Ld. Advocate as per proviso of Section 207 of the Cr.P.C. However, the accused has again made a prayer of inspection of all seized documents, record, files, digital data, bank documents, contract notes, transaction records and related material in the present application without giving any details. As discussed above, the prayers made by accused No.3 vide prayer clauses 5A and 5B have already been rejected. In respect of prayer No.ii, already sufficient time was granted to accused No.3. As such, the present application is

liable to be rejected.

8. Record goes to show that, accused No.3 has been changing his advocates frequently. Record further goes to show that, the trial of the present case against accused No.3 has been **stalled** due to different applications made by accused No.3 one after the other. Accused No.3 is well aware that, the matter has been made time bound by the Hon'ble High Court. The matter is more than **24 years old**. Accused No.3 is expected to co-operate with the Court for conclusion of the trial at the earliest. However, instead of extending co-operation, as discussed above, accused No.3 is designedly delaying the trial. The present application was made at 4.35 p.m., so that, the matter would get adjourned for reply of the prosecution. The present application is nothing but a part of the delaying tactics. Thus, the present application is liable to be rejected with exemplary cost. Hence, order.

**ORDER**

Application Exh.3819 is rejected with cost of Rs.5,000/- payable by accused No.3 to the D.L.S.A. Nagpur.

Nagpur.

Date : 06.05.2026

( M.V. Phade )  
2<sup>nd</sup> Addl Chief Judicial Magistrate  
Nagpur.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file of order are same word to word as per original Judgment.

Name of Stenographer : A.H.Ghosekar (Grade-II)