

IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE, 47TH COURT,
ESPLANADE, MUMBAI.

C.C. No. 256/PW/2023

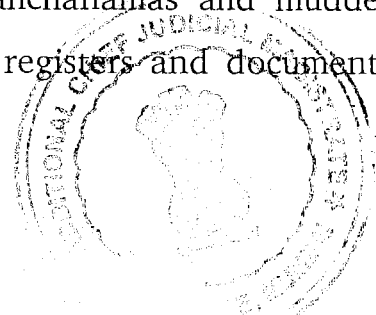
ORDER BELOW EXH-340

Present application has been filed to de-exhibit the documents which were produced on 19.11.2025. The accused submitted that he was not supplied with the documents and exhibiting them during the course of evidence of PW-19 is not in accordance with law. Hence, they be de-exhibited. It has been objected by the prosecution and it is stated that these documents were seized by way of panchanama and they are not new to the parties.

2. Heard both the parties.

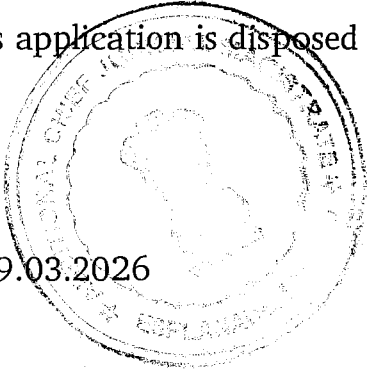
3. So far the evidence of PW-19 Aphale is being recorded and admittedly the documents from the muddemal receipt were produced at the last stage. Now these documents include contract notes, bills, cheques, minutes of meetings, register. Apparently some of these documents were seized by the present Investigating Officer, while some of them were by the earlier Investigating Officer. So also, the opinion of the Handwriting Expert, Specimen Signatures collected by this Investigating Officer were also produced.

4. Now the hue and cry of the accused that he was not aware of these documents is misplaced, wrong and a manufactured theory. The charge-sheet contains the seizure panchanamas and muddemal receipts which clearly show all these seized registers and documents. Now the



accused were given copies of the charge-sheet along with seizure panchanama and muddemal receipts. So it is absolutely not a surprise for these accused and it has to be considered that they were aware.

5. There is no denial of the fact that it is the mistake of the prosecution of not bringing the seized muddemal kept with Pimpri Police Station earlier at the time of recording the evidence of earlier witnesses. That mistake is there on record and it cannot be cured by subsequent filing of muddemal. This Court has been examining PW-19 Aphale and has given exhibit numbers to some of the documents which are within the scope of his investigation. The documents and registers which were not within the scope of this Investigating Officer are either not exhibited or only given article numbers. These are only by way of identification and the aspect of proof has always been kept open. The accused is hereby given liberty to dispute the proof of these documents coming from muddemal receipts. So the request for de-exhibiting cannot be entertained and this application is disposed of.



Date: 09.03.2026

(Abhijit R. Solapure)

Addl. Chief Judicial Magistrate,
47th Court, Esplanade, Mumbai.

True Copy

M. K. Solapure
Judicial Clerk, 12103/2026

Additional Chief Judicial Magistrate's,
47th Court, Esplanade, Mumbai.

Applied on 16/03/2026
Granted on 18/03/2026
Ready on 18/03/2026
Delivery on 18/03/2026