



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION (ST) NO.4181 OF 2024  
WITH  
INTERIM APPLICATION (ST) NO.4204 OF 2024

Anand Narayan Sakpal  
Age: 35 years, Occ.:  
R/o. Kargaon, Tal. Khalaur,  
Dist. Raigad. ...Applicant

vs.

State of Maharashtra  
Khalapur Police Station, Khalapur,  
Tq. Panvel, Dist. Raigad.  
(Copy to be served on Public Prosecutor  
High Court of Judicature of Bombay) ...Respondent

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Mr. Nitin Gaware Patil a/w Mr. Anandmaya Dhorde:	Advocate for Applicant.
Mr. V.N. Sagare:	APP for State.
Mr. V.V. Shinde:	Khalapur Police Station, HC/779, present.

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CORAM : S. M. MODAK, J.  
DATE : 19<sup>th</sup> MARCH 2024

ORAL JUDGMENT :-

1. The Hon’ble Supreme Court in various matters has laid down what is the scope of jurisdiction under Section 397 r/w Section 401 of

the Code of Criminal Procedure, 1973 (for short “Cr.P.C.”) against the Judgment of conviction and against concurrent finding of facts by the Criminal Courts. Re-appreciation of evidence is not permissible. What is meant by re-appreciation? Re-appreciation means not to inquire about reliability of the witness, his bonafides, issue of corroboration. Still the Hon’ble Supreme Court has carved out few of the exceptions wherein the Revisional Court may verify the correctness of the findings and legality of the order.

**2.** There are two instances carved out by the Hon’ble Supreme Court. They are :-

- (a) finding of guilt arrived at without considering the evidence on record or
- (b) finding of guilt arrived at by considering improper evidence on record.

This Court feels that this is one of the case wherein the revisional powers have to be exercised in favour of the Applicant – convicted accused. With the assistance of both the sides, when the evidence is perused, we realize why these revisional powers are engrafted by the legislatures in Code of Criminal Procedure.

### Facts

3. The Applicant was working as Post-Master of Khambewadi Post. His job was to accept the money from the depositors and to do needful including making entries in their passbook and also in the register maintained as per the postal rules in the office. During the relevant period from 20<sup>th</sup> August 2006 till 28<sup>th</sup> February 2007 various customers have deposited various amounts and the Applicant being the Postmaster has made entries in the passbook of those customers. They were under belief that the amount deposited by them will be accounted in the record maintained by the Postal Department. However, the Applicant was having some dishonest intention. He misappropriated the amount of Rs.28,834/-. It was neither noticed by the account-holders (it is but natural also) nor by any other staff from that Post.

### Inspection of record

4. When the Assistant Superintendent from Post Office at Panvel Shri Ambadas Kalappa Chinchole inspected the documents from the period 20<sup>th</sup> August 2006 upto 28<sup>th</sup> February 2007, he realised there is misappropriation to the tune of Rs.28,834/- in the sense the amount deposited by relevant customers were not deposited in the account of

postal department. He came to this conclusion on the basis of registers maintained. He found registers were not maintained for entire period and that is why he came to the conclusion that the money is misappropriated for that period. He also verified this fact from the account-holders and finally he lodged complaint with Vavoshi Police outpost from Khalapur Police Station. They have registered FIR under Sections 409, 468 of IPC. The Applicant was charge-sheeted.

#### Holding of trial

5. He was tried by the Court of J.M.F.C., Khalapur. There were in as much as seven witnesses examined on behalf of the prosecution. The judgment was partly in favour of the Applicant and partly against him. He was convicted for the offence under **Section 409 of IPC**. The sentence is as follows:-

- a. 3 years R.I. and
- b. Rs.2,000/- being the fine amount.

He was acquitted for the offence under Section 468 of IPC.

6. Though he challenged his conviction before the Court of Additional Sessions Judge, Panvel he was unsuccessful. His appeal was

dismissed by judgment dated 7<sup>th</sup> February 2024. Its legality is challenged before this Court.

7. I have heard learned Advocate Shri Gaware-Patil for the Applicant and learned APP Shri Sagare. Though initially Mr. Gaware-Patil argued for suspension of the sentence, lateron he has consented for deciding the Revision itself finally at an admission stage. The issue involved in this revision is :--

‘whether guilt of the accused can be arrived at only on the basis of **oral evidence** without insisting on **documentary evidence** though available?’

#### Prosecution evidence

8. It consists of oral as well as documentary evidence. Following are the witnesses:-

1.	Subhash Vithoba Dalvi - P.W.1.	Panch to the panchanama about seizure of registers not supported (Exh.16).	Pg. 25
2.	Meena Konduram Patade - P.W.2.	Account-holder (misappropriation of Rs.7060) (Exh.19/B)	Pg. 27
3.	Gulab Mukund Waghule - P.W.3.	Account-holder (misappropriation to the tune of Rs.3,000/- (Exh.21)	Pg. 29
4.	Rajesh Datta Shelar – P.W.4.	Account-holder. (Exh.22)	Pg. 31
5.	Pramila Dilip Kanoje – P.W.5.	Account-holder. (Exh.23C)	Pg. 32
6.	PSI Arun Ganpat Sonawane - P.W.6	Investigating Officer - (Exh.26)	Pg. 34

7.	Ambadas Kallappa Chinchole- P.W.7	First informant.	Pg. 46
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**9.** The documentary evidence consists of the documents seized as per the seizure panchanama dated 22<sup>nd</sup> August 2008. The reference of documents is as follows:--

- a. Two registers – (1) Saving Bank Journal Register and (2) RD Journal Register written upto 30<sup>th</sup> August 2004 and written upto 15<sup>th</sup> February 2005. (unfortunately they were not produced in the court and shown to the witnesses).
- b. Five passbooks belonging to the customers.
- c. 19 daily account letters.

**10.** Mr. Sagare emphasized on the wording of Section 405 of IPC. There are different ways of committing breach of trust. One of the mode is :--

*If there is dishonest use of the property in violation of direction of law prescribing mode in which such trust is to be discharged, Section 405 of IPC can be invoked.*

According to him, the Postmaster – Applicant was supposed to account the money deposited by the account-holders in the account of the Post.

**11.** By way of reply, Mr. Gaware-Patil submitted that account-holders have never complained for misappropriation and in fact, they have received back the money and it has come in the deposition of one account holder P.W.No.5 Pramial Kanoje (page 27).

### Oral evidence

**12.** When this Court has perused the evidence on relevant witnesses i.e.

- the panch witness **P.W.1** – Subhash Dalvi,
- **P.W.6** – Arun Sonawane- Investigating Officer and
- the **P.W.7** – Ambadas Chinchole - first informant.

This Court finds that the panch has not supported. Whereas, **P.W.7** – Ambadas Chinchole - first informant has deposed about handing over necessary registers and journals to the police at the time of FIR. Whereas, Investigating Officer has also deposed about seizure of the registers and the panchanama is at **Exh.28**. He has handed over to muddemal clerk of police station and the receipt is also at **Exh.29**. Even there is a muddemal list produced by the police which is annexed to charge-sheet on page 29 of Revision Application. Description of register is correct.

What this Court finds is in any of the testimony of these witnesses attempt was not made to show those registers/journals to the relevant witnesses. They could have been P.W.6 – Arun Sonawane, Investigating Officer and first informant – P.W.7. This Court is unable to guess why they were not shown to the relevant witnesses. One of the reason may be they pertain to the period not mentioned in FIR or it has slipped from the mind of concerned A.P.P. Even one may say that the learned trial Judge has adopted lackadaisical approach in not issuing necessary directions for producing at least the registers seized as per the seizure panchanama.

### Non-production of relevant Registers

**13.** He further submitted that prosecution by producing the relevant register and by proving them through proper mode ought to have proved the allegation that the money is not accounted by the Applicant. It has come in the evidence of concerned account-holders. In order to buttress this contention, Mr. Gaware-Patil has made the following submission:-

- a. The duration of the inspection done by P.W.7 is from 20<sup>th</sup> August 2006 upto 28<sup>th</sup> February 2007.



- b. In the seizure panchanama the duration as per the register seized is written upto 30<sup>th</sup> August 2004 and written upto 15<sup>th</sup> February 2005.
- c. According to him, *'the registers referred for the relevant period referred in the FIR'* are not at all seized (*however it seems that the registers from that period were not maintained is the conclusion drawn by P.W. No.7. but unfortunately it could not be brought on record properly*).

#### Fresh police report about Registers

**14.** It is true that this objection goes to the root of the matter and that is why, this Court has given directions to learned APP from time to time. With all his persuasion and experience he was successful in prevailing upon the police officers from Khalapur Police Station and today, he has produced report given by the Police dated 19<sup>th</sup> March 2024. It is taken on record and marked as **Annexure - "A"**.

It gives following details:--

- i) **Saving Bank Journal** from 30<sup>th</sup> August 2004 onwards was

produced.

ii) **RD Journal** from 15<sup>th</sup> February 2005 onwards is produced.

iii) Two passbooks are produced.

Report further mentions willingness to produce them in this Court.

No purpose could have been served by perusing them by this Court.

Because it ought to have been shown to the witnesses during trial.

They were kept in the muddemal room of the police station.

According to learned APP, the then investigating officer has retired

and he tried his level best to communicate him and to secure his

presence. However, he is not successful to the fullest extent. It means

they were not produced before the Court.

**15.** According to Mr. Gaware-Patil even these registers do not pertain to the period mentioned by **P.W.7** in the FIR.

### Court record

**16.** In order to ascertain the fact as to which registers are part of the muddemal of the Court record, this Court has also called report from the Court of J.M.F.C., Khalapur. It is received as per letter dated 7<sup>th</sup>

March 2024. It is marked as **Annexure-‘A-2’**.

**17. Let both these reports be considered as part of the judgment.** The same are annexed at the bottom of the judgment. With the assistance of both the sides, I have perused the contents of that report. It is in three parts. It is as follows:-

- (I) **Part I** gives description of the documents tendered in evidence.
- (II) **Part II** deals with the registers/documents submitted but not marked as Exhibits.
- (III) **Part III** deals with muddemal mentioned by the police in the list attached to the charge-sheet but not produced in the Court and pending in the police station. (This includes Saving Bank Register from 30<sup>th</sup> August 2004 and R.D. Journal Register from 15<sup>th</sup> February 2005).

**18.** According to Mr. Gaware-Patil, there are two lacunas in the prosecution evidence. They are as follows:-

- a. Relevant registers are not at all seized.

- b. The registers which were seized were not shown to the witnesses in the evidence.

### Judgment of the trial Court

**19.** Trial Court has appreciated the evidence in detail. I have read it.

The findings of the trial Court are as follows:-

- a. Trial Court has taken note of the return of money to account-holders and they are not having any complaint against the accused, (para 15)
- b. Trial Court opined “*question of refund of money does not arise if the accused has not accepted money and could have deposited with the Government. It indicates that he has misappropriated to his own use*”. (para 16)
- c. merely because account-holders – **P.W.2** to **P.W.5** are not having any complaint against the Applicant it does not mean that Accused has not misappropriated that amount (para 17).
- d. Trial Court observed the Applicant being conscious of his responsibility and he was aware how the entries should be taken in the Register (para 18).

- e. Applicant being public servant was authorised to accept the amount.
- d. The fact of seizure of document though not supported by the panch witnesses they were proved through the Investigating Officer and they were produced by P.W.7 (para 20).

**20.** These are the findings on the point of arriving at guilt for the offence under Section 409 of IPC. The trial Court acquitted the Applicant for offence under Section 468 of IPC and the predominant reason was 'hand-writing report was inconclusive' as reflected in paragraph No.10 and 21 to 23. The allegation of forgery is in passbook issued to account-holders.

**21.** Whereas, the allegation of misappropriation is in respect of amount accepted by the Applicant. To prove the allegations of non-accounting the amount, prosecution has examined the panch, IO and first informant. Even this Court failed to understand how the relevant registers were not produced and not tendered in evidence.

### Appellate Court Judgment

**22.** With their assistance, I have perused the judgment given by the

Appellate Court. The Appellate Court concluded :--

*“accused has deposited the siphoned amount at Shilphata Post office without informing to the office. Thus the act of accused is evident from the testimony of prosecution witnesses that he has siphoned of the amount of the account holders.” (para 14/page 75).*

The Appellate Court discussed about evidence on the point of seizure and producing documents by the first informant (para 16). The Appellate Court found there were no contradiction in the evidence of prosecution witnesses and hence it has inspired confidence (para 17). The Appellate concluded the Accused being Postmaster has collected the amount but not deposited. The Appellate Court thought it fit not to interfere in the trial Court judgment.

**23.** Even the Appellate Court has overlooked the lacuna in the prosecution evidence of proving the registers which were seized as per the seizure panchanama (**Exh.28**). The Appellate Court overlooked the fact that those registers does not pertain to the period mentioned by the first informant in the FIR. (**Exh.27**) and even the seized registers were never produced in the Court and shown to the relevant witness.

### Importance of registers

**24.** Even though trial Court discussed the evidence in detail, it has overlooked the fact that the relevant registers were not seized and registers which were seized were not produced in the Court. Even P.W. No. 7 who is the first informant and who has inspected the record has not clarified in what manner an offence of section 409 of I.P.C was committed. That is to say by making wrong entries of amounts deposited by the account holders or by not at all making the entries in the registers. Probably it seems from the description of registers in the seizure panchnama, the registers/journals were maintained upto particular date. Mean to say after the said period, they were not maintained and that is how the money is misappropriated. But unfortunately no clarification is sought by Learned A.P.P. and even he has not taken pains to call seized registers from the police station and to show it to him.

### About Section 468 & Section 409 of IPC

**25.** With the assistance of both the sides, I have gone through the oral evidence. Mr. Gaware-Patil emphasized if there is acquittal for the

offence under Section 468 of IPC, there cannot be conviction for the offence under Section 409 of IPC. Whereas, according to learned APP, even though both the offences are connected to each other still the acquittal for the offence under Section 468 of IPC does not materially affect the conviction for the offence under Section 409 of IPC. It is for the reason that for an offence under Section 409 of IPC if a public servant commits criminal breach of trust there is an enhanced punishment.

**26.** Wrong entries are made in the passbook belonging to the account-holders so as to create an impression in the mind of account-holders that money is accepted by the Applicant. Whereas, it is not accounted in the registers and that is how, misappropriation. So charge of forgery and charge of criminal breach of trust are part of larger transaction that is to dupe postal authorities. But both these offences deal with separate facts. Forgery is in respect of passbook of customers whereas Section 409 is in respect of money entrusted and misappropriated. Forgery is for covering the offence u/s. 409 of IPC. Finding on one charge does not depend upon outcome of the another charge. I reject the contention by Mr. Gaware Patil.



### Scope of this Revision

**27.** There are certain facts which can be proved only on the basis of oral evidence. It does not require documentary evidence for e.g. if there is assault on particular person the oral version is sufficient. Medical certificate is required only for ascertaining the nature of injuries. It is for the purpose of ascertaining the offence falls under which section of IPC. This case is not of that type.

**28.** Basically prosecution case rests upon the documents in the form of registers and journals. First informant has inspected those documents and then only he came to conclusion that Applicant has not accounted money of Rs.28,834/- accepted from the account-holders. Without inspecting registers, he was not in a position to conclude about misappropriation. It is true that as per Section 61 of the Indian Evidence Act contents of the document can be proved either by primary or secondary evidence. In this case, they are not proved in either way. So, I find lacuna in the prosecution evidence i.e. to say even there is an oral evidence in the form of all the witnesses (except P.W.1), however their version could not be substantiated by producing the documentary evidence in the form of register and journals. So, it

cannot be said that the offence of criminal breach of trust by the Applicant is proved beyond reasonable doubt. Though the investigating agency have seized some registers, but they were not tendered in evidence and proved. This is serious lacuna in the prosecution evidence. Without proving the documents, no finding of guilt for offence under Section 409 of IPC can be arrived at. So, certainly it has resulted into illegality when both the Courts convicted the Applicant for offence under Section 409 of IPC. Certainly, there is a scope for interference by the Revisional Court. So the conviction needs to be set aside.

### Duty of Police & Court

**29.** It is the part of investigation to seize relevant register and journals. First informant in his FIR has given the duration of registers from 20<sup>th</sup> August 2006 upto 28<sup>th</sup> February 2007 whereas the registers seized were written upto 30<sup>th</sup> August 2004 and upto 15<sup>th</sup> February 2005). Even if they can be said to be relevant, they were kept in the police station only. Neither APP in-charge nor the trial Court Judge were vigilant in taking appropriate steps/directions. They conducted trial without registers. Trial Court discussed evidence and convicted

the applicant by overlooking absence of important piece of evidence. It is strange even the Appellate Court overlooked this fact and confirmed the conviction. This is blatant disregard to the responsibility bestowed on the stakeholders. The Investigating Officer has retired. I deem it necessary to bring this lackadaisical approach of Police and Judges to the Joint Director, MJA. Because training is imparted to Judges. He can bring this fact to the notice of trial Court and Appellate Court Judges trained there. It is expected from Joint Director, MJA to inform this Court in what manner these observations were given effect. Copy of this judgment may be sent to him.

**30.** Hence, the order:-

### ORDER



- (i) Revision is allowed.
- (ii) The judgment of conviction passed by the learned Court of J.M.F.C, Khalapur in R.C.C. Case No.23 of 2009 dated 5<sup>th</sup> March 2023 thereby convicting the Applicant for the offence punishable under Section 409 of IPC and confirmed by the Court of Additional Sessions Judge, Panvel in Criminal Appeal No.65 of

2019 is set aside.

- (iii) Applicant be released from jail forthwith, if not required in any other case.
- (iv) Trial Court to pass appropriate order about disposal of the Muddemal including registers and journals produced before the Court as well as not produced before the Court but kept at Police Station.
- (iv) Fine amount paid, if any, be returned to the Applicant.
- (v) Revision Application is disposed of.
- (vi) In view of disposal of the Revision Application, Interim Application does not survive and the same is disposed of.

**[S. M. MODAK, J.]**

**Annexure - 1**

	<b>खालापूर पोलीस ठाणे, ता. खालापूर, जि. रायगड</b> सावरोली कनेक्टर जोड रस्ता स्टॅंड जवळ, खालापूर, जि. रायगड पिन :- 410202, दुरध्वनी क्र. 02192-275033, फॅक्स 02192-275033 email- rd.khalapur.ps@mahapolice.gov.in	
जावक क्रमांक :- 100/2024		दिनांक :- 13/3/2024

प्रति,

मा.उच्च न्यायालय,  
मुंबई, यांना सविनय सादर

CORAM : S.M. Modak, J.

13/03/2024  
Tendered in the Court  
Marked 'X' \*

विषय :- अर्जदार नामे आनंद नारायण सपकाळ वय-३५ वर्षे रा.कारगाव ता.खालापूर जि.रायगड  
अर्जाबाबत

संदर्भ :- १) आय.ए क्र. 4204/२०२४

रिपोर्ट :- पोलीस निरीक्षक खालापूर पोलीस ठाणे.

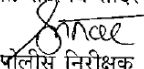
मा.महोदय,

१. पोलीस ठाणे	:-	खालापूर जिल्हा :- रायगड
२. गुन्हा रजि. नंबर व कलम		1 १२६/२००८ भा.द.वि.स.क.४०९,४६८ प्रमाणे
३. फिर्यादीचे नाव	:-	अब्बादास कलप्पा पिंपोळे वय-४६ वर्षे रा.पोस्टल-कॉलनी पनवेल
४. आरोपीत नाव व पत्ता	:-	आनंद नारायण सपकाळ वय-२८ वर्षे रा.कारगाव ता.खालापूर जि.रायगड
५. अपहार रक्कम	:-	२८,८३४/- रुपये
६. गुन्हा घ. ता. वेळ व ठिकाण	:-	दि.२०/०८/२००६ ते दि.२८/०२/२००७ रोजी दरम्यान
७. गु.दा.तारीख	:-	दि.२२/०८/२००८ रोजी ०८.३० वाजता
८. हकिगत	:-	यातील आरोपीत यांनी खांबेवाडी पोस्टल ऑफिसची तपासणी घेतली असता यातील आरोपीत कॉ.नं.१० मध्ये नमुद असलेला आरोपी पोस्ट मास्तर याने यातील खातेदार साक्षीदार ३ ते ७ यांच्या बचत पासबुक व रिकरिंग पासबुक मध्य वेगवेगळ्या तारखांना वेगवेगळी अशी २८,८३४/- रुपये पासबुक मध्ये जमा करून घेवुन पासबुक मध्ये खाडखोडकरुन सदर रक्कम २८,८३४/- रुपये सरकार जमा न करता स्वतःचे फायदयासाठी वापरुन तिचा अपहार करुन खातेदार यांचा विश्वासघात केला म्हणुन भा.द.वि.स.४०९,४६८ प्रमाणे दोषारोप आहे.

वरील विषयान्वये सविनय सादर कि, दि.०६/०३/२०२४ रोजी सदर अर्जाबाबत मा.उच्च न्यायालय मुंबई यांचे समक्ष हजर राहीलो असता सदर गुन्हातील तपासात तपासीक अंमलदार यांनी तपासकामी जप्त केलेले दस्तऐवज हे पंचनाम्यात नमुद केलेले मीळुन आलेले नाही तरी सदर बाबत पोलीसांनी अहवाल सादर करणेबाबत सांगितले होते.त्याप्रमाणे अहवाल सादर करीत आहोत.

- सदर गुन्हाचा तपास पोलीस उपनिरीक्षक अ.जि.सोनावणे तत्कालीन नेमणुक खालापूर पोलीस ठाणे यांनी केलेला आहे.
- सदर गुन्हाच्या तपासादरम्यान तपासी अधिकारी यांनी अपहरीत रक्कमांची नोंद असलेले दोन रजिस्टर पुढील प्रमाणे आहेत
  - १) भारतीय डाक विभाग शाखा कार्यालय बचत बँक जर्नल दि. ३०/०८/२००४ पासून पुढे
  - २) आर.डी.जर्नल दि.१५/०२/२००५ पासून पुढे
  - ३) राजेश दत्ता शेलार यांचे पासबुक व जबाब
  - ४) प्रमीला सोनावणे यांचे पासबुक व जबाब
 असा मुद्देमाल जप्त करून तो मुद्देमाल कक्षात जमा केला होता.

तरी सदर सदर तपासी अधिकारी यांनी अधिक तपासकामी जप्त मुद्देमाल मा.न्यायालयासमक्ष हजर करित आहोत.

मा. सविनय सादर  
  
 पोलीस निरीक्षक  
 खालापूर पोलीस ठाणे.

**Annexure – “A-2 “**

To,

The Hon'ble Registrar (Judicial-I)  
High Court, Appellate Side,  
Bombay-400032

**Through** : The Hon'ble Principal District and Sessions Judge,  
Raigad – Alibag.

**Subject** : To comply with the order Dt.06th March 2024  
passed by the Hon'ble High Court in interim  
application No.4204 of 2024 in Criminal Revision  
(ST) No.4181 of 2024

Anand Narayan Sakpal --- Applicant  
V/s

The State of Maharashtra --- Respondent

**Reference** : 1. Hon'ble High Court Letter No. B.D. Cri.No.  
CR060/5782024, Dated 07/03/24  
2. Hon'ble High Court Letter No. R(J)/106/2024,  
Dated 07/03/24

Respected Sir,

With reference to the subject cited above, the Hon'ble High Court call report on the point which registers/documents were submitted by the Khalapur Police Station in connection with C.R. No.126/2008 (Registered as R.C.C. No. 23 of 2009) and which registers were marked as an Exhibits during evidence. I am herewith submitting the information as called in following tables :-

I) Registers/Documents were submitted and marked as an Exhibits :-

Sr. No.	Particulars Of Documents	Exhibit Numbers
01	Complaint/Report	27

A.R. on A Br.  
to place this  
report before Hon'ble  
Court on scheduled  
date without fail  
Registrar (Jud. I)  
7/3/2024

02	Seizure Panchanama Dt. 22/08/2008	28
03	Muddemal Receipt	29
04	Spot Panchanama	30
05	Seizer Panchanama Dt. 20/08/2008	31
06	Muddemal Receipt	32
07	Panchanama in respect of Specimens Handwriting of accused	33
08	Specimens Handwriting Marked as S1 to S12	34
09	Letter given to Handwriting Expert for opinion	35
10	Statements recorded by complainant and marked as N1 to N6	36
11	Opinion of Handwriting Expert	37

**II) Registers/Documents were submitted but not marked as an Exhibits:-**

Sr. No.	Particulars Of Documents
01	Original Passbook of A/c No.1464891 (Article - A)
02	Original Passbook of A/c No.1625677
03	Original Passbook of A/c No.1625570
04	Original Passbook of A/c No.1464891
05	Statements of witnesses recorded U/s.161 of Cr.PC.
06	Certified copy of appointment letter of accused
07	Certified copy of Service Termination order of accused
08	Original Confirmation letter of service termination of accused
09	Certified copy of letter given by the Post-Master Panvel regarding Misappropriated amount to the Supdt. of Post Navi-Mumbai



10	Original Daily account Extracts of Post office Shil-Phata Branch Dtd.27/08/06, 28/12/06, 28/02/07, 23/12/06, 27/11/07, 28/09/06, 13/01/07, 30/12/06, 21/11/06, 25/09/06, 12/02/07, 25/01/07, 27/12/06, 29/09/06, 01/02/07, 22/01/07, 11/11/06, 16/09/06 and 28/08/06
11	Original Letter Issued by Addl. S.P. Raigad to Handwriting Expert

III) Muddemal mentioned in list attached with charge-sheet but not produced in the court and pending in police station vide Police Station M. R. No.09/09 and 10/09

Sr. No.	Particulars Of Muddemal Not produced before court
01	Two Registers (1) Saving Bank Register (2) R.D. Journal Register from Dt.30/08/04 to 15/02/05
02	Statements of five Account Holder
03	Four R. D. Receipts

Submitted with respect and obliged.

Yours faithfully,

( R. D. Wabale )

Civil Judge J.D. & J.M.F.C. Khalapur