

**Court No. - 79**

**Case :- MATTERS UNDER ARTICLE 227 No. - 6850 of 2023**

**Petitioner :-** Randeep Singh Surjewala

**Respondent :-** State of U.P. and Another

**Counsel for Petitioner :-** Akhilesh Singh, Shivam Yadav

**Counsel for Respondent :-** G.A.

**Hon'ble Vikram D. Chauhan, J.**

1. Heard Sri S.G. Hasnain, learned Senior Counsel assisted by Sri Shivam Yadav, Ms. Sarita Gupta, Sri Mohd. Ali, learned counsels for the petitioner and Sri Neeraj Tripathi, learned Additional Advocate General assisted by Sri J.K. Upadhyay, learned A.G.A.-Ist for the State-respondents.

2. In the present case, an application was moved by the petitioner, who is the accused for providing legible copy of the chargesheet including the documents relied upon in compliance of the provisions of Section 207 Cr.P.C. The aforesaid application has been rejected by the court concerned.

3. As per the arguments raised by the learned counsel for the petitioner, the Hon'ble Supreme Court on 17.4.2023 in paragraph 5 and 6 had directed for providing legible copy of the chargesheet to the petitioner. On 18.5.2023 copy of the chargesheet has been provided to the petitioner. However, under the provisions of Section 207 Cr.P.C. the chargesheet would also include the documents relied upon.

4. The primary submission of learned counsel for the petitioner is that the copies provided were not legible and in the spirit of the order dated 17.4.2023 of Hon'ble Supreme Court the legible copy of the supporting documents should also have been provided.

5. Sri Neeraj Tripathi, learned Additional Advocate General submits that the copy of the chargesheet and the documents were supplied to the petitioner. However, as per the order of Hon'ble Supreme Court dated 17.4.2023 the legible copies of the chargesheet were provided. He does not dispute the fact that the copies of the documents relied by prosecution as per Section 207 Cr.P.C. were not provided after passing of the order by Hon'ble Supreme Court on 17.4.2023.

6. At this stage, learned Additional Advocate General submits

that he would have no objection in case the copy of the legible documents relied upon by the prosecution as per the chargesheet is provided to the petitioner. However, since the case is old one, therefore, the proceedings before the court below may not be derailed by the petitioner.

7. A fair stand has been taken by the learned Additional Advocate General on behalf of the State.

8. accused person is entitled to legible copies of the documents as per the provisions of Section 207 Cr.P.C.

9. Under the circumstances, in view of the stand taken by the State, it is hereby directed that the trial court shall provide the copy of all the legible documents as per Section 207 Cr.P.C. within seven days to the petitioner.

10. It is informed by learned counsel for the parties that the next date fixed in the matter before the court below is tomorrow i.e. 9th June, 2023.

11. This Court directs the trial court to adjourn the case for seven days from today and provide the legible copies to the petitioner.

12. At this stage, learned counsel for the petitioner submits that on receipt of the legible copies, the petitioner would file the discharge application within the next seven days and the same may be decided in accordance with the direction of Hon'ble Supreme Court dated 17.4.2023 and the order dated 20.3.2023 passed by this Court in Application U/s 482 Cr.P.C. No.9093 of 2023. The petitioner shall be at liberty to file discharge application within next seven days. The trial court shall thereafter proceed in the matter as per the aforesaid orders dated 17.4.2023 and 20.3.2023.

13. Learned counsel for the petitioner assures this Court that the petitioner would participate in the proceedings before the court below and will not seek unnecessary adjournments.

14. Since the matter is very old, the court below shall take into consideration the length of the litigation and shall proceed with the case in accordance with law in a time bound manner.

15. With the aforesaid observations/directions, the writ petition stands disposed of.

**Order Date :- 8.6.2023**

**Bhaskar**