

Dictation No. 1 – Weak Prosecution in Stolen Property Case

In the year under review, it is alleged by the complainant that certain stolen property and valuable security were taken away, and stated before the police the witnesses confirmed that the accused was present at the scene of occurrence. At the very root of the issue, there was lack of proper supervision, and in a very difficult position the authorities failed to verify the documents, which resulted in misrepresentation of facts and mistake of law.

I am trying to say that though there should be proper investigation, still they are aware that no evidence is adduced and there is no evidence forthcoming to support the prosecution case. According to their plan, and according to their judgment, the judicial magistrate and subordinate court examined the records, but in every other respect the case appears weak and lacks strict proof.

While there is some confusion, here and there contradictions were noticed, and making their way through the material, the officers attempted to collect reliable evidence. At your earliest convenience, please give more time and please give more attention to the office copy of the letter and memorandum of association placed before you.

In every possible direction, the authorities tried to proceed, but negligence of the driver under motor vehicles act and lack of coordination affected the outcome of the case. Though there would be objections, marked subject to objection all documents were placed, and meats and bounds of the property were examined carefully during the investigation.

Next argued by the learned advocate appearing for the petitioner that the subordinate judge failed to consider relevant facts, and it is submitted by the learned assistant public prosecutor that the offence is punishable under section. From this time, I do not know whether there is any lawful possession, because from their point of view and in their opinion the matter still requires further inquiry.

In furtherance of investigation, search warrant was issued and voluntary statement was recorded, and taking into account all materials the authorities attempted to establish the case. In ultimate analysis, it is clearly established that there is serious infirmity, and honorable court may be pleased to dismiss the matter sine die or honorable court may

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be pleased to grant right of appeal under well established principles of
law. (375)

 