

265C. Supply of statements and documents to the accused.--

(1) In all cases instituted upon police report, copies of the following documents shall be supplied free of cost to the accused not later than seven days before the commencement of the trial, namely:--

- (a) the first information report ;
- (b) the police report;
- (c) the statements of all witnesses recorded under Sections 161 and 164; and
- (d) the inspection note recorded by an Investigating Officer on his first visit to the place of occurrence and the note recorded by him on recoveries made, if any:

Provided that, if any part of a statement recorded under Section 161 or Section 164 is such that its disclosure to the accused would be inexpedient in the public interest, such part of the statement shall be excluded from the copy of the statement furnished to the accused.

(2) In all cases instituted upon a complaint in writing,--

(a) the complainant shall:--

- (i) state in the petition of complaint the substance of the accusation, the names of his witnesses and the gist of evidence which he is likely to adduce at the trial; and
- (ii) within three days of the order of the Court under Section 204 for issue of process to the accused, file in the Court for supply to the accused, as many copies of the complaint and any other document which he has filed with his complaint as the number of the accused; and

(b) copies of the complaint and any other documents which the complainant has filed therewith and the statements under Section 200 or Section 202 shall be supplied free of cost to the accused not later than seven days before the commencement of the trial.

COMMENTARY

Scope and extent. Section 265-C speaks of supplying of statement and documents to accused free of cost before commencement of trial, but does not speak of his entitlement to obtain certified copy of a document of any part of record. [2002 PCr.LJ 1765]. Persons referred to a witness in the provisions of Section 265-C(1)(c) are the persons who are called by the prosecution as its witnesses at a given trial and it is only