SUMMARY
Criminal

Subject I **:-**

Electronic Evidence proof and Admissibility :-

1. It is world of e-banking, e-business, e-court. This is a paperless job without any loss of ink and time. It saves out valuable time and makes transaction of court, business and Banking business easier. The advancement of technology has advantages and disadvantages too. Some of the experts are using their skill for illegal gains. Such as hacking date, fetching, phishing and collecting personal information. Such information is used for development of collecting money from others account. These are known as cyber offences in general. We have been studying the Evidence Act, which is enacted in keeping in view all the evidence, which is full of papers based record and oral testimony. Internet goes from PC to PC, PC to mobile and through server of the system. So what can be best evidence is a question. The answer is specified in a new amendment to evidence Act, in section 65(A) and 65(B) of Evidence Act.

2. The definition of evidence as given in section 3 of the Indian Evidence Act, 1872 covers a) the evidence of witness i.e. oral evidence, and b) documentary evidence which includes electronic record produced for the inspection of the court. This means that evidence, even in criminal matters, can also be by way of electronic records. This would include Video conferencing. For instance, in the case of **state of Maharashtra V. Dr. Praful Desai AIR 2003 S.C. 2053**, the police had recorded evidence by video conferencing. With the enactment of Information Technology Act, 2000, the law of evidence was amended to incorporate several provisions governing admissibility and proof of the electronic evidence.

3. In fact, as observed by their lordship in the case of **Anvar V. Basheer,** reported in (2014) 10 SCC 473 there is a revolution in the way the evidence is produced before the court. Properly guided, it makes the system function faster and more effective. The important provisions regarding electronic records are contained in sections 22-A, 45-A, 59, 65-A and 65-B of the Evidence Act.

4. Section 65-B is very important section. It provides admissibility of electronics records.

i) Computer output of the information stored in optical / magnetic media is deemed documents and can be produced in evidence.

ii) The conditions mentioned in this section are satisfied in relation to the information and computer in question and shall be admissible in any proceedings, without further proof or production of the original.

a) out put was produced / generated by computer when it was used regularly to store / process the information, it was used for activities regularly carried on during the period.

b) out put was by the person having lawful control over the use of computer.

c) it will have to establish that during the period information was being regularly feed.

d) that through out the material period the computer was operating properly. During that period if the computer was out of order, it had not affected the electronic record and accuracy.

e) The computer out put is reproduction / derivation of the information feed in the ordinary course of business.

iii) Where over the period, the computers are used for processing and storing the information for activities regularly carried out as mentioned in sub section 2(a) of section 65-B by use

of more than one computers either in succession or simultaneously or by different combination, such use of computer / combination shall be deemed to be a single computer for the purpose of this section. Consequently out of any terminal / computer would be deemed primary evidence if conditions in subsection 2 above are satisfied.

iv) In the proceeding where computer out put is desired to be produced in evidence, a certificate by a person responsible for the operation of the computer system or the management of related activities shall be the evidence of matter stated in the certificate, stated to be true to the best of knowledge and belief of the person certifying his certificate.

The certificate may give following details

a) Identification of the electronic record and description of manner of production.

b) Particulars of device used in production and

c) details indicating compliance of condition in para 2 above.

v) For the purpose of this section

a) the information shall be taken as supplied to the computers, if supplied in appropriate form, whether directly or by other appropriate equipment.

b) even if the information is supplied to the computer by a computer otherwise in the course of those activities, information is duly supplied to that computer in the course of activities carried

out by official with a view to process and store, the information shall be deemed to have been duly supplied.

c) out put shall be deemed to be production by the computer, even if the same is directly or by other appropriate equipment like printer.

So, if we refer above mentioned definitions in the light of the provisions incorporated u/s 65-A & 65-B of evidence Act; Electronic Evidence is one another type of documentary evidence which is, if duly proved in the manner provided in sec 65-B, can be considered as strong evidence.

5. Let us take an example of publisher of child pornography. He may have e-mail I.D., of the domain eg. Yahoo.com. which locates abroad. Then, if it happens that pornography pictures seen in the school of children in France, then we have to revolve around the world to hunt the culprit. The school authority may lodge complaint with French police. The French police will contact the domain authority which has flouted the pornography picture on other site. Then they will take the server in India through which the pornography picture were published. Therefore the server in India, will take the I.P. address of the originator of India. (I.P.address

means internet protocol address, it is different for every different computer). Subsequently, the Indian cyber police will come in picture. They will have to collect the data about the person on whose I.P. address, the pornography pictures are published. The said person may be living in any part of India. Internet service provider will give the physical address of Internet protocol. Police will search his physical address and trap him. The first thing, cyber police will do is that they will seize the hard disk and take prints out from his computer in presence of panchas. In this case, what will be the evidence, is a question before court. An example is that the police officer has taken some hard copies from the computer of accused itself. The condition embodied in section 65-B is that the outputs shows have been produced by the computer during the period which the computer was in regular use. Whether pancha can be believed for obtaining hard copies and hard disk copy from the computer?

6. The panchas can tell perfectly which copy was obtained from which computer. Certainly it can only corroborate that each

and only if prosecution can establish through reliable evidence that this is personal computer of accused without access to others. This could be corroborated with the evidence of scientific officer of Forensic Department who will tell whether it was containing picture. It is to be noted that it is not necessary that every witness would tell that computer was in regular service and was operated by the accused. The service provider will give the evidence with log in and log out details that a particular pornography picture was sent to a particular domain address through the I.P. address of the accused. It is to be noted that every computer has a distinct I.P. address. Similarly, the domain of his like G-mail, yahoo-mail etc. will give the details about the transaction in their server with system generated report. That both the reports can be compliance of section 65-B(2) of Evidence Act.

7. There are seldom eye witnesses in the cyber offence seeing the offender committing the offence. The evidence come through the proprietor of cyber cafe, cctv camera footing, service provider's record and internet browsing record to internet domain and

ultimately hard disk which may contain data. This all change of evidence can only establish the guilt of the accused. The cyber cafe will give hard copy from its computer. Service provider will give hard copy with log in and log out details. Domain Administrator will also give hard copy of its inter transaction to their domain. Everyone of them has to establish that system from which they ave given this data is regularly in use. They have exclusive and legal control over the system and its use in ordinary course of their activities. They have to certify that there was no interruption and their system was operating properly. Then only the positive copy of Electronic Record will be read in evidence. Besides this, a seized Hard disk, data containing device will be examined by the expert and will have only corroborative value to the first hand information given by the above witnesses.

8. When a statement had to be produced in evidence under this section, it should be accompanied by a certificate which should identify the electronic record containing the statement and describe the manner in which it was produced, give the particulars of the

device involved in the production of the electronic record showing that the same was produced by a computer and showing compliance with the conditions of sub-section (2) of this section. The statement should be signed by a person occupying a responsible official position in relation to the operation or management of the relevant activities. Such statement shall be evidence of the matter stated in the certificate. It should be sufficient for this purpose that the statement is made to the best of knowledge and belief of the person making it [sect. 65-B(4)].

9. The audio C.D. was marked by the court as an exhibit with the condition that when it was displayed, an opportunity would be given to the wife for cross examining the husband. **(G. shyamlal Rajini V. M.S. Tamizhnathan. AIR 2008 NOC 476 (Mad.)**

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Subject No. II

<u>Distinction and Nature of proof to establish common intention and common object :</u>

1. The main difference between common intention and common object may be stated as under :

a. Under section 34 number of persons must be more that one. Under section 149 number of persons must be five or more.

b. Section 34 does not create any specific offence but only states a rule of evidence. Section 149 creates a specific offence.

c. Common intention required under section 34 may be of any type. Common object under section 149 must be one of the objects mentioned in section 141.

d. Common intention under section 34 requires prior meeting of minds or pre-arranged plan, i.e. all the accused persons must meet together before the actual attack participated by all takes place. Under section 149, prior meeting of minds is not necessary. Mere membership of an unlawful assembly at the time of commission of the offence is sufficient.

2. While interpreting sec. 34 this section is only a rule of

evidence and does not crate a substantive offence. It lays down principle of liability i.e. when two or more persons join actively in a assault of third person they are directly responsible for the injuries caused to the extent which they had common intention to cause those injuries. In other word it is the principle of constructive liability and the essence of the said liability is existence of common intention. The Hon'ble supreme court in a case of **Ram Tahal V. state of U.P. 1972 Cr.l.j. 227 and also Amer sing V. state of Haryana 1973 Cr.L.J. 1409** had laid down that, it is well established that a common intention presupposes a prior concert. It requires a prearranged plan or there must have been prior meeting of minds.

3. That the physical presence at the actual commission of crime, he need not be present in actual room but he can for instance stand guard by the gate outside ready to warn his companion about any approach of danger or wait in a car on a nearby road as ready to facilitate their escape. But he must be physically present at the scene of occurrence and must be participate in the commission of

offence some way or other at the time of commission of crime. Reliance can be placed on a case of **Shiv Prasad V. state of Maharashtra AIR 1965 SC 26 and also Suresh and another V. state of U.P. (2001) 3 SCC 673.**

4. Hon'ble apex court had laid down ration in case of **Amjad Ali V. state of Assam AIR 2003 SC 3587** that, "common object has always be considered to be different from the common intention and it doesn't require prior concert or common meeting of minds before the attack. Common attack could be developed instantly and the same being the question of facts and is to be inferred and deduced from the facts and circumstances of the case." **Hon'ble apex court in case of Madan Singh V. state of Bihar 2004 Cr.l.j. 2862** elaborately discussed the law relating to the constructive liability as :

"question whether section 149, IPC has any application for fastening the constructive liability on the basis of unlawful acts committed pursuant to the common object by any member or the acts which the members of the unlawful assembly knew to be

likely to be committed which is the sine qua non for its operation. The emphasis is on the common object and not on common intention. Mere presence in an unlawful assembly cannot render a person liable unless there was a common object and he shared the same or was actuated by that common object and that object is one of those set out in section 141."

5. In dealing with the applicability of S.149 of the Indian Penal code, one has to remember the several categories of cases that come up before the courts for decision. In this respect the observations of Hon'ble Apex court, five judges bench in case of **Mohan Singh and others V. State of Punjab AIR 1963 SC 174** . The two appellants, who were tried with three others, were convicted under s.302 read with S.149 and S.147 of the Indian Penal code. Two of these five persons tried together were acquitted. In the charge these five accused persons and none others were mentioned as forming the unlawful assembly and the evidence led in the case was confined to them alone. The facts proved in the case unmistakably showed that the two appellants and the other

convicted person, who inflicted the fatal blow, were actuated by the common intention of fatally assaulting the deceased.

Held, that the contentions must prevail and the conviction altered to one under S.302 read with section 34 of the IPC. Section 149 prescribes vicarious or constructive criminal liability for members of an unlawful assembly which under section 141 must consist of five or more person. Consequently, as soon as, in the present case, two of accused person were acquitted, s.141 ceased to apply and s.149 became inoperative.

If five or more persons are named in the charge as composing an unlawful assembly and evidence adduced by the prosecution proves that charge against all of them, that is clear case where S. 149 can be invoked. It is however, not necessary that five or more persons must be convicted before a charge under s. 149 can be successfully brought home to any members of the unlawful assembly. It may be that less than five persons may be charged and convicted under S.302/149 if the charge is that the persons before the court, along with others named constituted an unlawful

assembly; the other person so named may not be available for trial along with their companions for the reason, for instance, that they have absconded.

Similarly, less than five persons may be charged under s.149 if the prosecution case is that the persons before the court and others numbering in all more than five composed an unlawful assembly, these others being persons not identified and so not named. In such a case, if evidence shows that the persons before the court along with unidentified and un-named assailants or members composed an unlawful assembly, those before the court, can be convicted under section 149 though the unnamed and unidentified person are not traced and charged.

Cases may also arise where in the charge, the prosecution names five or more persons and alleges that they constituted an unlawful assembly. In such cases, if both the charge and the evidence are confined to the person named in the charge and out of the persons so named two or more are acquitted leaving, before the court less that five persons to be tried, then s.149 cannot be

invoked.

6. In Baital singh V. State of U.P. AIR 1990 SC 1982 Hon'ble supreme court has held thus

“it is true there was no charge under section 302 read with section 149 or under section 302 read with 34, but the facts of the case are such that, the accused could have been charged alternatively either under 302 read with 149 or under section 302 read with section 34 and one of the accused having been acquitted, the conviction under section 302 read with section 149 can be substituted with oner under section 302 read with section 34. No prejudice is likely to be caused to the accused whose appeal is being dismissed.”

7. However, common intention may develop on the spot as between a number of persons and this has to be inferred from the act and conduct of the accused, and facts and circumstances of the case. **Kripal singh V. state of U.P. AIR 1954 SC 706.**

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Subject III

Section 138 to 142 of Negotiable Instruments Act.

1. Negotiable Instruments have been used in commercial world for a long period of time as one of the convenient modes for transferring money. Development in Banking sector and with the opening of new branches, cheque become one of the favorite Negotiable instruments. When cheques were issued as a negotiable instrument, there was always possibility of the same being issued without sufficient amount in the account. With a view to protect drawee of the cheque need was felt that dishonour of cheque be made punishable offence.

2. With that purpose section 138 to 142 are inserted by Banking public financial institutions and Negotiable Instruments clause (amendment) Act, 1988. This was done by making the drawer liable for penalties in case of bouncing of the cheque due to insufficiency of funds with adequate safeguards to prevent harassment to the honest drawer. The object of this amendment Act is :

i) To regulate the growing business, trade, commerce and industrial activities.

ii) To promote greater vigilance in financial matters.

iii) To safeguard the faith of creditors in drawer of cheque.

(krishna V. Dattatraya 2008(4) Mh.L.J. 354 (S.C.)

3. Important ingredients of this offence are **:-**

i) The cheque must have been drawn for discharge of existing debt or liability.

ii) Cheque must be presented within validity period.

iii) cheque must be returned unpaid due to insufficient funds or it exceeds the amount arranged.

iv) Fact of dishonour be informed to the drawer by notice within 30 days.

v) Drawer of cheque must fail to make payment within 15 days of receipt of the notice.

4. Mere presentation of delivery of cheque by the accused would not amount to acceptance of any debt or liability. Complaint has to show that cheque was issued for any existing debt or

liability. Thus, if cheque is issued by way of gift and it gets dishonoured offence U/s 138 of the will not be attracted.

Presumptions **:-**

5. There is presumption under section 118 and 139 of the Negotiable Instruments Act in favour of holder of the cheque. Until contrary is proved, presumption is in favour of holder of cheque that it was drawn for discharge of debt or liabilities. However, it is rebutable one and accused can rebut it without entering into witness box, through cross examination of the prosecution witnesses.

6. In the case of **Rangappa V. Mohan (2010) 11 SCC 441** the Hon'ble supreme court held that section 139 of the Act is an example of a reverse onus clause that has been included in furtherance of the legislative objective of improving the credibility of negotiable instruments. Once the cheque relates to the account of the accused and he accepts and admits the signatures on the said cheque, then initial presumption as contemplated under section 139 of the N.I. Act has to be raised by the court in favour of the

complainant. The presumption referred to in section 139 of the N.I. Act is a mandatory presumption and not a general presumption, but the accused is entitled to rebut the said presumption.

7. Many times cheques are issued bearing no date or post dated cheques. The holder of the cheque enters the date, and thereafter, cheques are presented. The Hon'ble Bombay High court in case of **purushottam Gandhi V. Manohar Deshmukh 2007 (1) Mh.L.J. 210** observed that inserting such date does not amount to tampering or alteration but by delivery of such undated cheque the drawer authorizes the holder to insert date and the period of six months for presentation of such cheque to the Bank would start from the date which bears on the cheque.

Jurisdiction **:-**

8. Considering the ingredients of section 138 referred above the Hon'ble apex court in case of **K.Bhaskaran V. Shankaran AIR 1999 SC 3762** had given jurisdiction to intiate the prosecution at any of the following places.

i. Where cheque is drawn

ii where payment had to be made.

iii where cheque is presented for payment

iv where cheque is dishonoured.

v where notice is served upto drawer.

9. However, the Hon'ble supreme court has in recent decision in **Dashrath Rupsingh Rathod V. State of Maharashtra and anr. MANU/SC/0655/2014** held that in cases of dishonour of cheque, only thouse courts within whose territorial limits the drawee bank is situated would have the jurisdiction to try the case. Additionally, in a move that will have significant and far reaching consequences, the court also directed that pending cases in which the accused had not been properly served would be returned to the complainants for filing before the appropriated courts (i.e. having territorial jurisdiction), which filing is required to be done within 30 days of return.

Notice **:-**

10. Notice must be in writing informing that cheque is returned unpaid also a demand of cheque amount must be made and it

should be within 30 days from receipt of information of dishonour. When notice by registered post returned unclaimed there is presumption of service.

i. Rahul V. Arihant Fertilizers 2008 (4) Mh.L.J. 365 (SC)

ii. K.Bhaskaran V. Shankaran Vidhyabalam 1999 AIR SCW 3809

11. Initially, it was held by various High courts and Apex court that cheque may be presented severally within period of its validity or within six months. However, once notice is served and amount is not paid within stipulated period, the cause of action to prosecute starts. Thereafter the complaint is to be filed within period of 30 days.

12. The Hon'ble supreme court in case of **saket India Ltd. V. India securities ltd. AIR 1999 SC 1090** held that the period of one month is to be reckoned according to British calender as defined in the general clause Act and the date on which cause of action arose must be excluded for this purpose. When neither postal acknowledgment nor postal cover is received back by payee the presumption is that notice is served. **central Bank of India V.**

Saxena Pharma AIR 1999 SC 3607.

Cause of action :-

13. cause of action arises when notice is served on the drawer and drawer fails to make payment of the amount of cheque within 15 days. Limitation to file complaint is one month from the date of cause of action. However, by Amendment Act of 2002 court is empowered to take cognizance of the offence even if complaint is filed beyond one month by condoning the delay if sufficient cause is shown.

14. It has been held in various other cases that offence is not made out.

i. When cheque returned as defective one (Babulal V. Khilji 1998 (3) Mh.L.J. 762)

ii. when no notice is given to company and cheque is drawn by company **(p.Raja Rathinalm V. state of Maharashtra 1999 (1) Mh.L.J. 815)**

iii. Cheque is given as a gift.

iv. complainant was not a payee.

v. signature of drawer on the cheque is incomplete. **(Vinod V. Jahir 2003 (1) Mh.L.J. 456)**

Punishment :-

15. After the amendment Act of 2002 the imprisonment that may be imposed may extend to two years, while fine may extend to twice the amount of cheque. However, the trial is conducted in summary way, then Magistrate can pass sentence of imprisonment not exceeding one year and amount of fine exceeding Rs. 5000/-. there is no limitation for awarding compensation.

16. Section 145(1) of the Act permits the recording of evidence of only complainant on affidavit. This was for expedite disposal of the cases. The bank slips are held as a primary evidence and admissible directly.

Accused cannot be allowed to tender his evidence on affidavit as per the Judgment of Hon'ble Supreme court in M/s Mandvi co-op. Bank Ltd. V. Nimesh B. Thakore AIR 2010 S.C. 1402.

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List of judgments for discussion

1. Anvar P.V. V. P.K. Basheer and others, (2014) 10 SCC 473.

i. In the above matter, Election petition was filed to set aside election on the ground that alleged songs, announcements and speeches made as part of election propaganda, amounting to corrupt practice. Speeches, songs and announcements were recorded using some instrument by feeding them into computer and CDS were made. These CDS were produced in court as proof of allegations. However, certificate in terms of section 65 (B) of Evidence Act was not produced in respect of such CDS.

ii. The Hon'ble supreme court has held that admissibility of secondary Evidence of Electronic Record depends upon satisfaction of condition as prescribed under section 65-B. However, if the primary evidence of the Electronic Record is produced i.e. original electronic record itself is produced in court under section 62, then the same is admissible in evidence without compliance with conditions in section 65-B.

Iii. It is further held that producing copy of statement pertaining to Electronic Record in evidence not being the original electronic record, such statement has to be accompanied by a certificate as specified in section 65-B (4). Such certificate must accompany electronic record like C.D.,VCD,pen drive etc., which contains the statement which is sought to be given as secondary evidence, when the same is produced in evidence. In absence of such certificate, secondary evidence of electronic record cannot be oral evidence is not permissible, if requirements under section 65-B are not complied with.

2. Yogendra pratap singh V. Savitri Pandey and another AIR 2015 SC 157

Dishounor of cheque – complaint- filed before expiry of 15 days from the date on which notice has been served on drawer /

accused – is no complaint in eye of law – No cognizance of offence can be taken on the basis of such complaint – fact that on the date of consideration of complaint or taking cognizance thereof a period of 15 days has been lapsed – not a ground to take cognizance of complaint.

3. Naim V. State of Uttarakhand 2015 All MR (cri) 379 SC

We must observe that karim was armed with pharsa and Naim was armed with a lathi, that all three accused had entered the house of the deceased and the complainant at midnight in the company of sabbir who was also armed with a sharp cutting weapon. When three persons separately armed with weapons storm into the house of the victim in the dark of the night, merely because only one out of them uses the weapon and gives the fatal blow, would not absolve the others. The others may not be required to use their weapons but that by itself does not change the role of such other accused to that of a mere by-stander. The circumstances can show that the others shared the same intention. In the instant case the common intention to bring about a definite result is evidence from the circumstances on record.

4. Inacio Amorim D'costa V. Rocky, 2014 (6) All.M.R.89 SC

In this judgment, it has observed that, the averment in written statement show that, cause of action had already arisen when written statement was filed. Since it was not taken up at the time of written statement, counter claim could not be allowed at belated stage after commencement of trial.

5. J.V.Bhaharuni & Anr. V. state of Gujrat & Anr. (2015 All.M.R.(cri) 357)

In this case, Hon'ble supreme court had discussed elaborately about the grounds or circumstances of de novo trial.

6. Narsing V. State of Harayana AIR 2015 SC 310

Held – the victim of the offence or the accused should not suffer for laches or omission of the court. Criminal Justice is not one-sided. It has many facets and we have to draw a balance between conflicting rights and duties. The court was considering the effect of non-compliance of mandatory provisions of section 313 cr.p.c. while examining the Accused in a criminal trial.

Whenever a pleas of non-compliance of section 313 cr.p.c. is raised, it is within the powers of the appellate court to examine and further examine the convict or the counsel appearing for the accused and the said answers shall be taken into consideration for deciding the matter. If the accused is unable to offer the appellate court any reasonable explanation of such circumstances, the court may assume that the accused has no acceptable explanation to offer.

In the facts and circumstances of the case, if the appellate court comes to the conclusion that no prejudice was caused or no failure of justice was occasioned, the appellate court will hear and decided the matter upon merits.

If the appellate court is of the opinion that non-compliance with the provisions of section 313 cr.p.c. has occasioned or is likely to have occasioned prejudice to the accused, the appellate court may direct retrial from the stage of recording the statements of the accused from the point where the irregularity occurred, that is, from the stage of questioning the accused under section 313 and the trial judge may be directed to examine the accused afresh and defence witness if any and dispose of the matter afresh.

The appellate court may decline to remit the matter to the trial court for retrial on account of long time already spent in the trial of the case and the period of sentence already undergone by the convict and in the facts and circumstances of the case, may decide the appeal on its own merits, keeping in view the prejudice caused to the accused.

7. The Azmane Urban co-operative credit society Ltd. V. Kissan Gokuldas Naik (Criminal Appeal No 30 of 2013 Decided on 22/01/2015)

The Hon'ble Bombay High court has held that, “No doubt, the offence is compoundable in view of the provisions of section 147 of the N.I.Act compounding of offence must be by both the parties.” It has also held that the payment of due amount at subsequent stage of trial will not absolve the accused of the liability of criminal offence. In such circumstances, unless and until the matter is not compounded by the parties, the accused has

to face the trial.

8. Indian Bank Association and ors. V. Uninon of India 2014(5) STPL 323.

The Hon'ble Supreme court has given direction to criminal courts all over the country to deal with cases U/s 138 of the N.I.Act

9. In recent judgment of Hon'ble Bombay High court in **Santosh Popat Chavan V. Sulochana Rajiv in second appeal No. 119/2013 Dt. 12/12/2014** held that widow has not limited right in the property of the husband for partition. She can claim partition in the ancestral property of husband without waiting for partition between her sons.

10. Vandana wd/o Yogesh Mankar V. State of Maharashtra, criminal appeal No. 508/2012 Decided on 05/02/2015. held section 106 of Indian Evidence Act does not relieve the prosecution to prove its case beyond reasonable doubt. Only when prosecution case has been proved, the burden in regard to such facts which was within the special knowledge of the accused may be shifted to the accused for explaining the same.

11. Hon'ble S.C. in Tomso Bruno and anr. V. State of U.P. on Dt. 20/01/2015 held that the computer generated electronic records in evidence are admissible at a trial if proved in the manner specified by section 65 B of the Evidence Act. Sub-section (1) of section 65 B makes admissible as a document, paper print out of electronic records stored in optical or magnetic media produced by a computer, subject to the fulfillment of the conditions specified in sub-section (2) of section 65-B.

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