

Moot Trial

State of Maharashtra v Vijay Singh

Contents

No	Particulars	Exhibit No	Page
1.	Assumptions		2
2.	Charge Sheet dt 14-08-09	1	3
3.	Charge dt 07-09-09	10	5
4.	Plea of accused dt 07-09-09	11	6
5.	Deposition of PW1 Raja Sampat dt 09-11-10	15	7
6.	Statement of Complainant (FIR) dt 01-08-09	16	8
7.	Deposition of PW2 Mahesh Pawar dt 23-11-10	18	9
8.	Spot Panchnama dt 03-08-09	19	11
9.	Deposition of PW3 Amit Dhore dt 23-11-10	20	12
10.	Seizure Panchnama dt 03-08-09	21	13
11.	Deposition of PW4 Chandrakant Sutar dt 24-12-10	26	14
12.	Statement of Accused dt 27-01-11	29	16

Facts are located in India. Laws of India apply.

This brief was made for the Third ILS Judgment Writing Competition at the ILS Law College held on 12 February 2011. It is based on a criminal case with similar facts and evidence, and substantially modified for the Competition by Dr Nilima Bhadbhade, ILS Law College, Pune.

Anyone is free to use it for non-commercial educational purposes, provided authors are acknowledged.

Assumptions

1. The case is investigated and tried respectively by the police station and court having jurisdiction.
2. Documents bear relevant endorsements, signatures and certificates usually put on such documents by the Court / investigation authorities.
3. Other documents / actions / procedures that have happened during the course of court proceedings are in order.
4. Identity of articles produced in court is not in question.
5. The accused was under arrest and in police / magistrate custody for 43 days, and was later released on bail.

CHARGE SHEET

Exhibit 1

1. **Police station:-** Shivaji Nagar Police Station, Pune 2. **District:-** Pune
3. **Charge sheet No:-**I-904/09
4. **Date:** 14-08-2009
5. **Name, address, occupation of complainant or informant:-** Raja Sampat, age 36, occupation: service residing at 1630, **Shanivar** Peth, Pune
6. **First Information Number:** I-128/2009 dated 1st August 2009
7. **Name and address of accused persons sent up for trial: In custody/upon bail**
Vijay Singh age 35, residing at Anu's dispensary, Sindhi Colony, Pune was arrested on 2nd August 2009 at 12:30pm. He was produced in the court with the report after arrest and the court ordered to keep in magistrate's custody until 16-08-2009
(The remand report is annexed)
8. **Name and address of accused persons not sent up for trial whether arrested or not including absconders: ---**
9. **Property (including weapons) found with particulars of where when and by whom found and whether forwarded to magistrate**
 1. Rs 00-00. One court case Number 456/08 and original case papers containing 30 papers in concerning the case tied with a red tag
10. **Name and addresses of witnesses:-**
 1. Panch Shri Mahesh Pawar, age 25, occupation-service residing at 2935, Sadashiv Peth Pune
 2. Panch Shri Arun Narayan Kulkarni age 56, occupation-business residing at Subhash Nagar, Pune-30
 3. Panch Shri Amit Dhore age 31, occupation-rickshaw driver residing at 1446, Sadashiv Nagar Pune
 4. Panch Shri Sunil Verma, age 34, occupation-service residing at Shastri Nagar, 456, Utsav Marg, Pune-53
 5. Witness Mrs. Rachana Ghatge, age 42, occupation- service residing at 18, Ramkrishna Nagar, Pune-28
 6. Shri Vikram Patil, age 33, occupation-service, residing at 11, Shiv Krupa Society, Pune-28
 7. Shri Ramesh Shaha, age-41, occupation-service residing at Subhash Nagar, D-No 44, Pune-15
 8. Police Sub inspector Shri Chandrakant Sutar, presently posted at Prabhat Road, Pune.

11. Charge or information, Name and offence and circumstances connected with it, in concise detail, and under what section of law charged

The charge is that an offence occurred within the jurisdiction of 30th JMFC, Pune and within the jurisdiction of Shivaji Nagar Police Station Pune in the court hall of II Jt. CJJD and JMFC, Pune is as follows:-

1. The accused No.1 mentioned in column 1 committed theft for his wrongful gain by dishonestly taking the possession of the case papers of case No 456/2008 pending against him in the court of II JMFC, Pune taking opportunity when the complainant was not looking. The charge is under section 380 of the IPC.

12. NOTES:-

It is therefore prayed that accused Vijay Singh may please be summoned and tried as per provisions of law

Before the 30th Judicial Magistrate, First Class, Pune dated 16-08-2009

Forwarded by Police Inspector, Shivaji Nagar Police Station.

Signature of Investigating officer submitting final Report

Sd/-

Chandrakant Sutar, Shivaji Nagar, SI, Pune

Exhibit No 10

R C C No. 779/2009

CHARGE (Secs 221, 222, 223 Cr.P.C.)

I, Ajinkya Sudhakar Pote, 30th Jt CJJD and JMFC Pune hereby charge you Vijay Singh as follows:

That you on or about the 29-7-2009 at about 1 p.m. in the 2nd Court, 1st floor, Pune committed theft in the building of Civil Court, Pune of Court Case No 456/2008 which was against you in the same court for your own benefit, and thereby committed an offence punishable under Section 380 of the Indian Penal Code and within my cognizance.

And I hereby direct that you be tried by me on the said charge.

Dated this 7th day of September 2009.

Sd/-
30th Jt CJJD-JMFC Pune

The contents of the charge are read over and explained to the accused in his vernacular language.

Sd/-
30th Jt CJJD-JMFC Pune

RCC No 779/2009

Exhibit No 11

PLEA OF ACCUSED

NAME OF ACCUSED: Vijay Singh

Que No: 1 Have you received the copies of police papers?

Ans: Yes.

Que No: 2 The allegations now read over explained to you. Have you understood the same?

Ans: Yes

Que No: 3 Do you plead guilty of it?

Ans: No

Sd/-
(Signature of accused)
Date 7-9-2009

Sd/-
30th Jt C J J D and J M F C
Pune

Deposition of Witness No 1 for the prosecution
My name Raja Sampat,
Age 36, Occu, Service
Residence: 1530, Shanivar Peth, Pune.

EXAMINATION- IN-CHIEF BY LD. ADV A.P.P SHRI KUMAR

1. I know the accused present before the court,. I am serving as peon in the Civil court of Pune since December 2000. On 29-07-09 I was posted in the Court of IInd Jt. Civil Judge Junior Division and JMFC, Pune. On that day I attended duties from 9.30am. On that day the other peon Mr. Ramesh Shah was also deputed as a peon in that court. Because he was on night duty on that day, he was not attending the duty on that day. At about 12.30pm I started collecting and arranging the cases according to the board for the month of August. At that time the accused came near me and was standing near my table. The judge then asked me to call out for litigants for that day. Hence I kept all the case papers which were in my hand on the table and went to call the litigants. After about half an hour I came near the table. At that time I noticed that the record of proceedings of Criminal Case No 456/08 which was to be arranged in the board of 9th August 2009 was not on the table. Also the accused was also not there. Therefore I and the clerk Mr. Patil searched for the case. But we could not get it. In the case No 456/08, this accused was an accused. The accused has taken the case papers without my consent. Thereafter on 1-08-09, I lodged report to the police. Now the report is shown to me. It bears my signature. The contents are true and correct. It is at Exhibit 16. We have searched for the said case and we have confirmed that the accused have stolen the said case. Hence there was a delay in lodging the complaints. After lodging the report I was called by the police, as they have brought the accused in the police station. The police showed me the accused and the record of the case. I had identified the accused and the record of the said case. Police seized the case papers by drawing seizure Panchnama. I can identify the record and the proceedings. (Record and proceedings of the case has been produced in sealed condition. Seal is opened in the presence of the accused, his advocate, APP and witness). At the time of seizure, the record and proceedings were sealed in a brown paper and it was sealed with a paper slip of signature of Panchas. Now the record and proceedings of CC No 456/08 are shown to me. They are the same. They are collectively marked at Article A. I know the accused present before the court and he is the same.

CROSS FOR ACCUSED BY LD. ADV SHRI GUPTE

2. We used to take out the cases for the daily board of respective dates at about 10.30 am on that day. I was sorting the board near the table of Junior Clerk, i.e., Remand Clerk. At that time so many persons were present there. The call out for cases started at about 11.30 am. at that time there were about thousand cases which were to be sorted. I had called regarding the daily board for about ten minutes initially. The daily board was called on that day between 11.30 to 11.40 am. Thereafter after about 11.40am, I started sorting the board of August. The accused came near the table at about 12.15 pm, at that time I was doing the work of sorting the board. I had gone to call the Litigants and advocates at about 12.30 pm. thereafter at about 1 pm, I again came near the table for sorting the cases. When I came near the table,

the accused was not there. I came to know about the missing papers of C.C No 456/08 at about 1.15 pm. We searched for the case papers throughout the day, i.e. 6.pm. We also searched it on the next day throughout the day. We also searched it on 31-07-09. Myself, Junior Clerk, Mr. Patil and Mrs. Ghatge have also searched the said case. I had stated before the police at the time of lodging the report that we have searched the case and thereafter we confirmed that the accused had stolen it. Therefore there was delay in lodging the complaint. I cannot assign any reason as to why the said fact is not mentioned in my report. It is not true to say that I had misplaced the said case and therefore to shirk the responsibility, I had lodged false report. It is not true to say that on 03-08-09, I myself had produced the case papers before the police. It is not true to say that the accused did not produce the said case papers before the police. It is true to say that adjacent to the said table, the junior clerk and police used to sit on their respective places. It is not true to say that on my saying the police filed false charge sheet against the accused.

RE-EXAMINATION . NIL

R.O.A.C

PUNE

Date: 09-11-10

Sd/-

JMFC, Pune

Statement of complainant

Date: 1-8-09

I, Raja Sampat, , age 36, occupation: service residing at 1630, Shanivar Peth, Pune, the complainant, do hereby state that:

I permanently reside at the address given above with my wife, son and daughter. We stay together. I am serving as a peon in the courts of Pune since 2000. My working hours are from 9.30 in the morning till 5.30 in the evening. On 29-08-2009, I was working in the court of the Joint Civil Judge Junior Division and JMFC. On 29-08-2009, I went to work as usual at 9.30 am. On that day my colleague, the other peon Mr Bhagat was also on duty with me. But since he had worked on night duty, he had not come to work.

On 29-08-2009 while on duty, at 12.30 pm, I was arranging according to the daily boards all the files that were fixed during August month. At that time the accused Vijay Singh had come there and was standing near me. Court proceedings were in progress, and I had to leave because the judge asked me to call out the clients and lawyers for cases of the day. I left all the files there and went to do this work. After calling out all clients and lawyers, I returned back to gather the files fixed for month of August. While searching for the cases I found that Case No 456/08 was not at its place on the table. I did not also see Vijay Singh. Thinking that the file must be kept elsewhere, I and the court clerk Mrs Rachana Ghatge searched all cases once again, but we did not find the file of that case. Vijay Singh was the accused in that case. I could not find the file even though I searched them yet once again.

Vijay Singh, whom I suspect, took away without my consent the case papers of Case No 456/08 from my table. I searched for the files, thinking I would find them elsewhere. I am filing this complaint on 01-08-09.

Hence I am making my complaint.

My statement is read over to me, and it is according to what I stated.

Sd/-

In the presence of
Police Inspector
Shivaji Nagar Police Station.

Sd/-

Complainant
Raja Sampat

Notes:

Crime Reg No 128/09
of Shivaji Nagar Police Station
Offence under Section 380 of IPC.
01-08-09, 11.30 am

Deposition of Witness No 2 for the prosecution

I do hereby on solemn affirmation state that

My name Mahesh Pawar,

Age 25, Occu, Service

Residence: 2935, Sadashiv Peth, Pune.

EXAMINATION- IN-CHIEF BY LD. ADV A.P.P SHRI KUMAR

1. Prior to about one and half months police had called me in the Pune Court building on the first floor. At that time Mr. Kulkarni was also with me. Police obtained my signature on the Panchnama. Now the said Panchnama is showed to me. It bears my signature and signature of Mr. Kulkarni. I don't know about the contents of the Panchnama.

(Witness is not deposing as per Panchnama. APP seeks permission to seek cross examination. Granted.)

X by APP:-

2. It is true to say that PW1 had showed the spot of incident. It is true to say that thereafter police prepared Panchnama. It is true that the police read over to me the contents of Panchnama. It is true to say that contents of Panchnama are true and correct. It is marked Exh-19.

Cross for accused by Ld Advocate Shri Gupte

3. I was called by the police in the month of August. I was called by the police from my house. I had received message of Mr. Kulkarni. I was called by the police at about 10 or 10.30 am. He told me that Panchnama is to be prepared at the court. I live is Sadashiv Pet. It takes about 20 minutes to reach the court. I came to the court on my bike. When I came to the court I met the police and PW1, Sampat. I don't know the name of the police. Police told me about the Panchnama. I don't know as to whether any talk has been taken with the police. It is true to say that I signed on the Panchnama on the say day as Kulkarni signed. Today I don't remember the exact time of drawing the Panchnama. I can read Marathi. The contents of Panchnama were read over to me by Kulkarni. I was present in the court fro about two hours. I came to the court about 11.30 to 12 noon. We left the court about 2 or 2.30 pm. I had signed the Panchnama in the court at about 1.30 to 1.45 pm. It is not true to say that I did not come to the court and the panchnama was prepared in the police station.

RE-EXAMINATION NIL

R.O.A.C

PUNE

Date: 23-11-10

Sd/-
JMFC, Pune

Spot Panchnama.

Date: 3.8.2009

Exhibit 19

Shivaji Nagar Police Station Cr. No. I-128/2009

Pancha witnesses: 1. Shri Mahesh Pawar, age 25, occupation-service residing at 2935, Sadashiv Peth, Pune 2. Shri Arun Narayan Kulkarni age 56, occupation- business residing at 999, Subhash Nagar, Pune-30

We panchas were called by PSI Mr. Chandrakant Sutar of Shivajinagar Police station in the premises of the District and Sessions Court, Shivajinagar, Pune and requested to act as panch witnesses for panchnama of the place of incident of theft pertaining to Cr. No. I-128 of 2009 for offence u/s 380 IPC. PSI Mr. Sutar introduced Shri. Raja Sampat saying that he was the complainant in the case and he shall point out the place of the incident from where papers of RCC No. 456 of 2008 were stolen.

Then, Shri. Raja Sampat took us to the Court Room No. 42 on the first floor of the main building. Shri. Sampat told us that it was the court hall of Court no 2. The main door of the said room faces to West. On entering the said room, Shri. Raja Sampat pointed out a table in the southern part of the hall kept near the dais and informed that he had kept the papers of the case no. 456 of 2008 on that table and that the accused had stolen away the papers from that place at about 12.30 pm on 29.7.2009. We noticed some more tables, chairs, 2 stools in the said hall.

On inspection of the said table and the hall minutely we could not notice anything useful for the purpose of investigation.

This panchnama is drawn between 10.30 am to 11.15 am on 3.8.2009.

The contents of the panchnama were written in our presence, those were read over and explained to us. We found that those are true and correct. Hence, signed.

Date: 3.8.2009

District Court Premises, Sd/-

Shivajinagar, Pune. Pancha no. 1

Sd/-

Panch no. 2

Deposition of Witness No 3 for the prosecution
I do hereby on solemn affirmation state that
My name Amit Dhore,
Age , Occu, Rickshaw Driver
Residence: Sadashiv Peth, Pune.

EXAMINATION- IN-CHIEF BY LD. ADV A.P.P SHRI KUMAR

1. I was called by the police at Central Police Station for Panchnama. Police obtained my signature on Panchnama. Now Panchnama dated 03-08-09 is shown to me. It bears my signature. It is marked Exh-21. I don't know the contents of the Panchnama.

(Witness is not deposing as per Panchnama. APP seeks permission to seek cross examination. Granted.)

X by APP:-

2. It is not true to say that when I had gone to the police station, the other Panch Sunil Verma was present there. It is not true to say that at that time accused was also present there. It is not true to say that accused had produced the record of proceeding of C.C No 456/08 and that it was identified by the PW1. It not true to say that police prepared seizure Panchnama and obtained my signature on it. It is not true to say that accused is my friend and I am deposing falsely to save the accused.

CROSS FOR ACCUSED BY LD.Adv Shri Gupte- Declined

RE-EXAM NIL

R.O.A.C

PUNE

Date: 23-11-10

Sd/-

JMFC, Pune

Seizure Panchnama.

Date: 3.8.2009

Exhibit 21

Shivaji Nagar Police Station Cr. No. I-128/2009

Pancha witnesses:

1. Shri Amit Dhere age 31, occupation-rickshaw driver residing at 1446, Sadashiv Nagar Pune
2. Shri Sunil Verma, age 34, occupation-service residing at Shastri Nagar, 456, Utsav Marg, Pune-53

We panchas were called by PSI Mr. Chandrakant Sutar in Shivajinagar Police station, Pune, pointed out a person by name Vijay Singh, age about 30 years who was present in the police station and requested to act as panch witnesses for panchnama of whatever that would be disclosed and produced by said Vijay Singh who is an accused in Cr. No. I-128 of 2009 for offence u/s 380 IPC.

Thereafter, said Vijay Singh made a statement as below.

"I had stolen papers of case no 456 of 2008 from the court room of court no.2 on 29-7-09 and had kept the same in the dicky of my motor bike no. MH12 K2012 that was parked outside the police station. I am willing to produce the said papers from the dicky of my motor bike".

After recording the said statement, said Vijay Singh took all of us outside the police station where his bike no. MH12 K2012 was parked. He opened the dicky with a key that was with him; took out some papers wrapped in a plastic bag and handed over the same to PSI Chandrakant Sutar. The papers were taken out from the plastic bag. On inspection, we found that case no. 456/08 was written in red ink on the top right hand corner of the first page of the roznama of the file. The file contained 23 pages.

The said papers of case no. 456/08 were seized in our presence, wrapped in a brown paper with the help of twine. The wrapper was sealed with labels bearing signatures of we panch witnesses. Wax seal was affixed at four places including the knot of the twine so as make it impossible to tamper with the contents without breaking open the seals.

The statement of accused was recorded and panchnama was drawn in our presence between 11.30 am to 12.30 am on 3.8.2009. The contents thereof are true and correct. Hence signed.

Date: 3.8.2009

Sd/-
Accused Vijay Singh

Sd/-
Panch no. 1

Before me Sd/-
PSI Chandrakant Sutar

Sd/-
Panch no. 2

Deposition of Witness No 4 for the prosecution

I do hereby on solemn affirmation state that

My name Chandrakant Sutar,

Age 48 , Occu, PSI, Prabhat Road, Pune

Residence: Pune.

EXAMINATION- IN-CHIEF BY LD. ADV A.P.P SHRI KUMAR

1. One 1-08-2009, I was attached with Shivaji Nagar Police Station as Police Sub-Inspector. On that day, C.R. No I -128/09 was assigned to me for investigation. At the time of enquiry, the complainant told me about description and physical appearance of the accused. The complainant had also told me about the profession of the accused. On perusal of the papers, the complainant had told me the name and address of the suspected thief. The complainant had told me the name of suspected person as Vijay Singh. As per the address supplied by the complainants, I went on the said address. On the said address I found one dispensary. Then I informed the compounder, that he should give message to the doctor to visit me in the police station. On the next morning, Mr. Vijay Singh, the said accused, came to me at the police station. I enquired with him regarding the incident. He handed over the stolen case papers to me which he had kept in the dickey of his scooter. I seize the same in the presence of the Panchas. Thereafter I call the complainant. He identified the seized papers and the accused. Accordingly I drew the seizure Panchnama. Now the seizure Panchnama is shown to me. It bears my signature as well as signatures of Panchas. Contents are correct. It is already marked Exh-21. Thereafter I deposited the said Muddemal (stolen property) with Muddemal Clerk and prepared a receipt. Now the OC of the receipt is shown to me. It bears my signature. Contents are correct. It is at Exh-27. During the investigation, I had recorded the statement of witnesses. After completion of investigation, I have submitted the present charge sheet.

(At this stage the envelope consisting of seized Muddemal is opened before me) The envelope bears a label having my signature and signature of Panchas. Now the seized case papers are shown to me. They are the same. The envelope is already marked Art-A. The number bearing on the seized case papers is the same as given in the complaint. The seized case papers are accordingly marked as Art-B. I know the accused present before the court.

CROSS EXAMINATION BY Ld. Adv for accused Shri. GUPTE

2. The present crime was assigned to me for investigation at 4 to 4.30 pm on the day on which it was registered. The complainant has stated to me that the suspect was having a round face, fair complexion and a bit big belly. The complainant had stated that the suspected person was having a dispensary in Sindhi Colony. The complainant was accompanying me when I went to the dispensary of the accused. I went to the dispensary of the accused at about 7.30 to 8 pm on the same day. One constable accompanied me at that time. I cannot tell the name of the compounder who was present in the said dispensary. The incident of theft had occurred on 29-07-2009 between 12 to 12.30 noon. The accused had come to the police station at about 9.30 to 10 am on after two days. The panchas were called by the constable. I cannot tell their names. It is not correct to say that I had called habitual Panchas for

Panchnama. It is not correct to say that I am deposing falsely that the accused had handed over the stolen case papers in the presence of Panchas to me. It is not correct to say that the complainant had himself handed over those case papers to me after lapse of two days. It is not correct to say that I have falsely implicated the accused in this case.

(Cross Examination OVER)

RE Exam –NIL

R.O.A.C

PUNE

Sd/-

Date: 24-12-10

JMFC, Pune

NAME OF ACCUSED: Vijay Singh

Age 35 years

Resident of : Anu's dispensary, Sindhi Colony, Pune

Que No: 1. Have you heard and understood the prosecution evidence

Ans: Yes

Que No: 2. It has come in the evidence of the PW1 Raja Sampat that he identified you. On 29-7-2009, he was deputed as peon in the court of IInd Jt CJJD and JMFC Pune. On that day, he had attended the duties from 9.30 am. The other peon Mr Ramesh Shah was on night duty, hence, he had not attended the court. What you have to say about it?

Ans: I do not know.

Que No: 3. It has further come in his evidence that on that day, at about 12.30 pm, when he was arranging the board of the cases of August, you came to him and you were standing near his table. But, the Presiding Officer had asked him to call the litigants. Therefore, he had kept the cases in his hand on the table and gone to call the litigants. After half an hour when he came back, he noticed that record and proceeding of C C No 456/08, which was to be arranged in the board of 9-8-09 was not on the table. What do you have to say about it?

Ans: It is false.

Que No: 4. It has further come in his evidence that you were also not there. Therefore, he and clerk Mr Patil had searched the said case, but court not find it. In the said case, you were shown as accused. You took the said case without his consent. Then, on 1-8-2009, he had lodged report to the police, as per Exh 16. What do you have to say about it?

Ans: It is false.

Que No: 5. It has further come in his evidence that they had searched the said case and got confirmed that you had stolen the said case. Hence, there was delay in lodging the complaint. What do you have to say about it?

Ans: It is false.

Que No: 6. It has further come in his evidence that after lodging the report, police called him in police station and showed you and record of the said case. He identified you and record of the said case. Police seized the said case by drawing seizure panchnama. What do you have to say about it?

Ans: It is false.

Que No: 7. It has further come in his evidence that at the time of seizure, said record and proceeding was sealed in a brown paper and with paper slip bearing signature or panchas. The record and proceeding of C C No 456/08 shown to him. He identified it to be the same. It is collectively marked as Article A. What do you have to say about it?

Ans: It is false.

Que No: 8. It has further come in his evidence that the witness identified you as accused before the court. What have you to say about it?

Ans: It is false.

- Que No: 9. It has come in the evidence of PW2 Mahesh Pawar that prior to about half months, police called him at Pune court on the 1st floor along with Mr Kulkarni. Police obtained his signature on the panchnama as well as of Mr Kulkarni. What do you have to say about it?
- Ans: I do not know.
- Que No: 10. It has further come in his evidence that PW1 Sampat showed the spot of the incident. The, police prepared panchnama and read over to him its contents which are true and correct as per exhibit 19. What do you have to say about it?
- Ans: I do not know
- Que No: 11. It has come in evidence of PW4 Chandrakant Sutar, PSI, that on 1-8-2009, he was PSI at Shivajinagar Police Station, Pune. On that day CR No I 128/09 was assigned to him for investigation. At the time of enquiry, the complainant told him about your description and physical appearance. Complainant also told him about your profession. What do you have to say about it?
- Ans: I do not know.
- Que No: 12. It has further come in his evidence that on perusal of papers, complainant told him the name and address of the suspected their. Complainant told him the name of suspected person as Vijay Singh. What do you have to say about it?
- Ans: I do not know.
- Que No: 13. It has further come in his evidence that as per the address supplied by the complainant, he went on the said address supplied by the complainant, he went on the said address and found one dispensary. Then he informed the compounder to give message to the doctor to visit him in the police station. On the next morning you came to him at the police station. What do you have to say about it?
- Ans: It is false
- Que No: 14. It has further come in his evidence that he enquired with you regarding the incident. You handed over the stolen cross-papers to him which you had kept in the dickey of your vehicle. He seized the same in the presence of panchas. Then, he called the complainant and complainant identified the seized case papers and you accused. What do you have to say about it?
- Ans: It is false
- Que No: 15. It has further come in his evidence that accordingly, he drew the seizure panchnama. It bears his signature as well as the signatures of panchas. He admitted its contents to be correct It is at exhibit 21. What do you have to say about it?
- Ans: It is false
- Que No: 16. It has further come in his evidence that then, he deposited the said muddemal with muddemal clerk and prepared the receipt o/c of the receipt shown to him. It bears his signature. Contents are correct. It is at exhibit 27. during investigations, he has recorded the statements of witnesses. After completing of investigation, he had submitted the present charge-sheet. What do you have to say about it?
- Ans: I have no concern with the crime. I am falsely implicated and chargesheeted.
- Que No: 17. It has further come in evidence that the envelope consisting of seized muddemal is opened before him. The envelope bears label of his signature and signatures of panchas. The seized case papers are shown to him. He

identified them to be the same. The envelope is marked as article A. What do you have to say about it?

Ans: I do not know.

Que No: 18. It has further come in his evidence that the seized case papers bear the same number as given in the complaint. The seized case papers are marked as article B. The witness identified you as accused before the court. What you have to say about it?

Ans: It is false

Que No: 19. Do you want to examine your self on oath or adduce any defence witness?

Ans: No

Que No: 20. Why prosecution witnesses are deposing against you?

Ans: I do not know.

Que No: 21. Do you want to say anything more about the case?

Ans: This is a false case against the accused

Date 27-1-2011

Before me

Sd/-
Signature of accused

Sd/-
(B B Sawant)
Jt CJJD and JMFC, Pune

CERTIFICATE

The above statement of the accused is recorded in my presence and in my hearing and it contains a full and true account of the statement made by him.

Date 27-1-2011

Sd/-
(B B Sawant)
Jt CJJD and JMFC, Pune