

M.C.O.C. SPECIAL CASE NO. OF 21/06**DATE: 20TH JULY, 2011****EXT. NO.1191****DEPOSITION OF WITNESS NO.115 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Surjeet Singh
Age : 42 years
Occupation : Service of Central Government
Res. Address : ---

(Witness states that he cannot disclose his present posting and residential address in view of his current posting. His identity card is seen and verified).

EXAMINATION-IN-CHIEF BY SPP RAJA THAKARE FOR THE STATE.

1. I was posted as immigration officer at Attari Railway Station in November 2001. There are regional counters at Attari railway station and one of the counter was for Maharashtra and Gujarat. I was at the counter no.19 concerning Maharashtra and Gujarat on 29/11/01. Our duty was to scrutinize the travel documents of the passengers who come to the counter. We were required to verify the security parameters as to whether the passport is genuine by putting it in the

ultra violet rays device. We also check whether the photograph is replaced by some other photograph. We also get the address on the passport verified from the passengers. We then verify the validity of the visa and how that person obtained that visa keeping in view the security parameters. We also verify the LOC, i.e., look out cases, which are received from all over India concerning persons wanted by police or prevented by courts from going out of India. When we are satisfied that the person is genuine and the documents are in order, we put the stamp of departure if we are on that counter and of arrival if we are on that counter. Entry about the passengers arriving is made in the arrival register. The register is maintained in the official course of our duties.

2. I have brought to the court the arrival register of 29/11/01. I was on duty at the arrival counter on that day. All the entries of that day are in my handwriting. The entry at sr. no.4 is concerning the person by name Mohd. Shaikh. The passport number is B5403385, date of issue is 06/06/01, year of birth is 1974, the date of departure and the serial number is written in column no. 10 and the name of the city where he would go in India is written in the last column. I had wrongly

inadvertently written the date 10/10/01 below the departure no. 979 instead of 01/10/01. The trains used to arrive and depart on Monday and Thursday and there was no train on 10/10/01. (Witness is shown Ext. 1190). The entry no. 979 in the departure register now shown to me is concerning the same passenger about whom I made the entry no. 4 on 29/11/01. Certified true copy of that entry now shown to me is the same. Its contents are as per the original in my handwriting. (It is marked as **Ext.1192(2 pages)**).

Cross-examination by adv P. L. Shetty for A3, 8, 9, 11 and 12

3. It is not true that except the rubber stamp on the pages there is nothing in the register to show that it is for arrival passengers. A slip to that effect is pasted on the binding part of register. The words 'C19 In. Incoming date 26/07/01 to 31/12/01' are written on that slip. The 19 no. was the counter for Maharashtra and Gujarat only. I do not remember the counter number for Bihar and West Bengal on that day. This register was only for counter no.19 for Maharashtra and Gujarat. It is true that I did not check the entry no. 979 in the register at that time. I had seen the entry number and the date on the passport. I was on duty from 6.00 a.m. to 10.00 p.m. on that day.

Samjhauta Express arrived from Delhi at about 6.30 or 7.00 a.m. on that day. I cannot tell at what time it departed. Its halting time at Attari station is 4-5 hours. The train that arrived on 29/11/01 had come from Pakistan border. All entries on the page containing the entry at sr. no.4 are in my handwriting and they are pertaining to counter no. 19. I made total 14 entries on that day. It is true that last three entries are of the passengers of Kolkata. I came to know about the inadvertent mistake in writing the date of departure 10/10/01 below the entry no. 979 in the entry at sr. no.4, when I got this register before coming to court. I saw the departure register when I got the original arrival register before coming to court. When I verified the concerned entry, I came to know about this mistake. The passenger at sr. no. 4 had come from Pakistan. I had checked his visa. When that passenger had left India, his visa was valid for 30 days. I do not remember whether it was extended when I checked it. I cannot tell the issue date and the expiry date. It is true that I did not fill up some columns pertaining to the places that he had visited. I wrote the first name and the last name Mohd. Shaikh on seeing the passport. There were verbal instructions to write the first name and the last name. I do not

remember the name of the inspector who had given these instructions. It is true that Mumbai Police have not inquired with me till today and have not taken my statement about this entry. I do not know who gave the certified true copy of the entries to the Mumbai Police.

4. I was attached to immigration office at Attari railway station from May 2001 to February 2002. It is true that it is not mentioned in the register that the passengers had come by Samjhauta Express. The train had come from Lahore on that day. Samjhauta Express goes upto Lahore in Pakistan. I do not know the number of stops at Pakistan. Lahore is 22 kms from Attari. I do not know the distance between Attari and Karachi. It is far ahead of Lahore. I was attached to this department from April 2000 to June 2003. I cannot tell the dates on which the services of Samjhauta Express were suspended during this period.

Cross-examination by Adv Shetty h/f Rasal for A/1 and 4 to 6

5. Declined.

Cross-examination by Wahab Khan for A2, 7, 10 & 13

6. We used to check the LOC on the computer.

MCOC SPL.21/06

PW 115/6

Ext.1191

No re-examination

R.O.

Special Judge

Date:-20/07/2011

**(Y.D. SHINDE)
SPECIAL JUDGE
UNDER MCOC ACT,99,
MUMBAI.**