

**M.C.O.C. SPECIAL CASE NO. 21 OF 2006****DATE: 9TH AUGUST, 2011****EXT. NO.1389****DEPOSITION OF WITNESS NO.123 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

Name : Devendra Pandurang Chavan

Age : 57 years

Occupation : Service (Bank)

Address : 101, Parmi Bldg., Sundar Nagar, Virar (w)-401303,  
Dist-Thane.

-----

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

1. Police met me at about 25 or 26/07/06 at my house. They knew my name and address. Only one policeman by name Surve from the ATS had come. Railway police had not inquired with me before that. My statement was recorded at my house by officer Surve. He wrote it by his hand as per my narration. It required about 15-20 minutes to write it. He had the paper and pen with him. I cannot say why a statement in my name typed on the computer is on the record. My statement was not written on the laptop. It did not happen that my statement was written on the laptop, read over and explained to me in Hindi. I had not stated so to the police. (Witness is confronted with

the relevant portion from his statement. Hence, it is marked as 'A'). I cannot assign any reason why it is so written in my statement.

2. I cannot say whether I had caught the 607 Down Virar train, but I had boarded the 5.19 p.m. Virar fast train. It may be that the said train started at 5.20 p.m.
3. The platform no.3 from which I boarded the train was on one side only, i.e., on the west side of the train at the Churchgate station. It is true that I went running and boarded the train from the north end of the coach and sat on the second seat from the window on the east side. That seat is on the northern side of the coach near the window. My colleague and friend Kiran Kini sat by my side. It is true that at Borivali he gave his seat to another passenger and stood in between the open space between the two seats. I did the same thing and stood by his side at Dahisar. I was sitting in the row of the seven seats towards the side of Virar. A person was sitting by the window, I was on the second seat and Kiran was in the third seat. I do not know who were sitting in the three seats opposite me. I do not know who were sitting on the second and third seat on the western side of my row of seats.

4. ATS police did not show me photographs of alive or dead persons. I was not required to identify any person at my house or anywhere else at any time.

**Cross-examination by advs Wahab Khan h/f Rasal for A1 and 4 to 6 and P.L. Shetty for A3, 8, 9, 11 and 12**

5. Declined.

**No re-examination.**

**R.O.**

**Special Judge  
Date: 09/08/11**

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