

**M.C.O.C. SPECIAL CASE NO. 21 OF 2006****DATE: 17TH AUGUST, 2011****EXT. NO.1453****DEPOSITION OF WITNESS NO.134 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Ashwin Ramesh Boricha  
Age : 35 years  
Occupation : Private Service.  
Res. Address : Ashirwad, Block No. 220/240, RSC 46, Gorai-2,  
Borivali (W), Mumbai-92.

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

1. My statement was recorded on 12/07/06 by Andheri police. The ATS recorded my statement at my house on 21/08/06 after I was discharged from the hospital. I do not remember the name of the officer.
2. I reached Dadar station 3-4 minutes before 5.50 p.m., but I am not sure. I am saying that I caught the 5.50 p.m. train at Dadar as that was the time shown on the indicator. I am not sure I caught the train at 6.00 p.m. I do not remember whether I stated so to the police on 12/07/06, whether the statement was read over and explained to

me. I understand Marathi and can read it to some extent. My mother tongue is Gujarati. I have done SSC and computer course. I do not remember whether I read my statement on 12/07/06. I did not see my statement dated 12/07/06 on that day. I do not remember whether my signature was obtained on it. (Witness is confronted with the relevant portion from his statement. Hence, it is marked as 'A'). I do not remember whether I had stated so to the police. I cannot assign any reason why it is so written in my statement. (Witness is confronted with the relevant portion from his statement. Hence, it is marked as 'B'). I do not remember whether I had stated so to the police. I cannot assign any reason why it is so written in my statement. It is true that there is a good frequency of local trains in Mumbai and within a span of ten minutes many local trains pass from the same track. The ATS prepared my affidavit, but I cannot tell the name of the officer who prepared it and when he prepared it. I signed on it on 22/07/11. The affidavit was ready in a file when I went there. I was not called to the ATS office before that for preparing it. The officer did not question me before preparing it.

3. I had the first class railway pass with me on 11/07/06. I had

stated to the police on 12/07/06 that I entered the bogie from the west side from the rear door and I stood between three rows of seats on the east side facing Borivali. The statement was recorded on the very next day, therefore, I cannot say what I stated and what I did not state. I do not know whether the blast took place on my back side or front side, in which part of the bogie it took place and in which bogie. It did not happen that I fell on the platform, became unconscious and regained consciousness in the hospital. I did not state so to the police. (Witness is confronted with the relevant portion from his statement. Hence, it is marked as 'C'). I cannot assign any reason why it is so written in my statement. I was first taken to the Cooper Hospital. I was shifted to another hospital in the same night. I do not know at what time my statement was recorded on 12/07/06 and whether it was day or night. I did not state to the officer who prepared my affidavit that there was bomb explosion on my right side in the said compartment. I cannot say why it is so written in the affidavit. I do not remember whether I had stated to the police on 12/07/06 that there was smoke and darkness in the compartment and other passengers were also injured with me and after some distance the

train was stopped and that some people helped and took me to the Cooper Hospital for treatment. I cannot assign any reason why it is not in the statement.

4. I cannot tell the capacity of the bogie that I boarded. I do not remember whether it was a full bogie or half bogie, but from my side there were two doors for entering. I boarded the train from Churchgate side. I do not recollect how many rows were there at the spot where I stood.

**Cross-examination by Rasal for A1 and 4 to 6 and Rasal h/f**

**Wahab Khan for A2, 7, 10 & 13**

5. Cross-examination by Adv Shetty-Adopted

No re-examination

R.O.

**Special Judge**

**Date:-17/08/2011**

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