

M.C.O.C. SPECIAL CASE NO. 21 OF 2006**DATE: 28TH SEPTEMBER, 2011****EXT. NO.1581****DEPOSITION OF WITNESS NO.143 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Mahadev Hariba Khot

Age : 57 years

Occupation : Service (HC-1324 attached to Dadar Railway PS)

Res. Address : Flat No.4, Shri Sai Samarth CHS., Nr. Sacred Heart
High School, Lokmanya Nagar, Palghar, Dist-Thane.

Examination-in-chief by SPP Raja Thakare for the State

1. I was attached to Borivali Railway Police Station in 2006. I was on day duty on 12/07/06. I used to do the work of finger printing. Sr. PI of our police station told me on that day to take nine sealed packets in CR no. 156/06 along with two forwarding letters to the office of the FSL, Kalina. I took the letters and the packets in my custody, made station diary entry and reached the office of the FSL, Kalina at 3.15 p.m. I had started at 2.20 p.m. from the police station. I gave the sealed packets to the clerk there and also handed over the forwarding letter. He gave an acknowledgment on the office copy of the forwarding letter and gave it back to me. I returned back to the

police station, made station diary entry and gave the office copy of the forwarding letter to the Sr. PI. Office copy of the forwarding letter now shown to me is the same, it bears the acknowledgment of the receiving clerk of the FSL office. (It is marked as **Ext. 1582**). The nine packets Arts. 190B, 191B, 192B, 193B, 194A, 195B, 196A, 197B and 198A are the same that I had taken in sealed condition. My statement was recorded on 12/07/06 by the Sr. PI of our police station.

2. Sr. PI gave me a sealed packet on 15/07/06 along with letter addressed to the FSL and asked me to reach the letter and the seal packet there. I made station diary entry and went to the FSL, Kalina. I started at 1.20 p.m. and reached at about 2.00 p.m. I handed over the sealed envelope and the letter to the clerk in the office of the FSL. He gave an acknowledgment on the office copy of the forwarding letter. I returned to the police station, made station diary entry and gave the office copy to the Sr. PI. I will be able to identify the office copy. It is the same now shown to me and it bears the acknowledgment of the receiving clerk. (It is marked as **Ext. 1583**). Art. 243B is the same envelope that I had taken in sealed condition. My statement was recorded on 15/07/06.

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

3. The packets had lac seals. The seal had the words 'Satyamev Jayate' and emblem of 'Ashok Pillar'. I do not know who had sealed the packets. I know how to read English. The seals containing the above words were on the packets that I carried on both days. Impressions of the seal were put on the letters. The seals on the letters Exts. 1582 and 1583 has the emblem of 'Ashok Pillar', but not the words 'Satyamev Jayate'. The seal was containing the emblem and the words. Seal containing both these things does not appear on both the letters. Similar seals were on all the packets. The word 'Satyamev Jayate' and the emblem are visible on the seals on all the packets. The words are below the emblems. I am not able to read the other words in the seals on the packets. (Witness is shown the envelope Art-194A). It is true that I am not able to read a single word in the seal and the emblem of 'Ashok Pillar' is also not visible. I had given this envelope on 12/07/06 in the office of the FSL. (Witness is shown the envelope Art-196A). I had given this envelope on 12/07/06 in the office of the FSL. There are 5-6 seals on the envelope. The

emblem of 'Ashok Pillar' and the words 'Satyamev Jayate' are visible in all six seals. The word 'Forensic' is visible on one seal. All the six seals are of the same colour. It is true that the colour of the seal on Art-194A is darker than the seals on Art-196A. The seals on both are of the police station. I cannot say how the word 'Forensic' appears in the seal of police station. All the six seals were on Art-196A when I took them to the FSL. All the seals of similar appearance and colour were on the other packets when I took them to the FSL. I do not know when all these packets came back to the police station. I am seeing the packets for the first time after I had taken them to the FSL, Kalina. (Witness is shown Art-196A). It is true that below the seal in the center, there is a lac seal of the colour of the seal on Art-194A. It was not in this condition when I took it to the FSL. On seeing the seals on both the packets, now I say that the red colour seals are of the police station. I cannot see the emblem of 'Ashok Pillar' and the words 'Satyamev Jayate' on the seal on Art-194A.

4. It is not true that I deposed falsely that I took sealed packets to the FSL.

Cross examination by adv Asma h/f Wahab Khan for A2, 7, 10 &

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5. Declined.

No re-examination.

R.O.

Special Judge

Date:-28/09/2011

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