

M.C.O.C. SPECIAL CASE NO. 21 OF 2006**DATE:2ND NOVEMBER 2011****EXT. NO.1691****DEPOSITION OF WITNESS NO.158 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Ajit Bhagat Singh

Age : 39 years

Occupation : Private Service

Res. Address : Room No.716, Bldg. No. 10, Kalachowki housing
Board, Abhyudaya Nagar, Mumbai-33

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

1. I was called on 20/10/06 at the ATS office at Kalachowki at about 3.00 p.m. The ATS officer showed me ten cylinders (kandi) to which long wires were attached and told me that they are to be destroyed at the Girgaon chowpaty and whether I am ready to act as a panch witness. I said yes. There was one more panch like me there. Then we all went to Girgaon Chowpaty reaching there at about 3.30 p.m. The persons who were to destroy the bombs were there. Those persons dug a pit in the sand, put one cylinder (kandi) in that pit, attached wires to the wires of that cylinder, put sand over the cylinder and then placed a sandbag over the pit. Then they asked us

to move back and then they blasted the cylinder. They did this for all the ten cylinders one by one. They then took all the remaining wires of the cylinders, put them in a plastic bag, wrapped the plastic bag in a khaki paper, affixed a label containing our signatures and sealed it. Then a panchanama was prepared and my signature and the signature of the other panch Ramesh Ghadi were taken on it. I will be able to identify my signatures on the panchanama. It was read over to us. It was correctly written. The panchanama now shown to me is the same, it bears my signatures at sr. no. 1 and the signature of the other panch at sr. no.2 on both pages and its contents now read over to me are correct. (It is marked as **Ext.1692**). I will be able to identify the khaki paper and the articles. The khaki wrapper Art-282 now shown to me is the same, it bears my signature at sr. no.1 and the signature of the other panch at sr. no.2. The wires Art-281 (colly.), the pieces of red sticking tape Art-282B and the pieces of aluminum metal Art-282 (colly) now shown to me are the same. The pieces of aluminum metal were collected from the pit.

Cross-examination by Adv P. L. Shetty for A3, 8, 9, 11

2. D. N. Marg is by the side of my residence. I knew the other

panch Ghadi before that day. Ishwariprasad CHS is 2 kms from my house. One requires 20 minutes to reach there from my house. Earlier I used to do the work of wireman and now I am in a company. The name of the company is India United Mill No.5 situated at Lad Marg in Byculla. I am working there since 2007. I did not have a shop, but I used to do household wireman work. PI Tajne called me in the ATS office. I was going by the road when I heard someone calling out and then I was called inside. I was not called by name, but someone gave a call to me from backside. I cannot tell the distance from where the person called me, but he gave the call twice. I did not know PI Tajne. I did not know the person who had called me. That person's name was probably Jadhav. There were some other ATS officers inside when I went there. The ATS office is about 15 minutes from my house. I do not know what work the other panch Ghadi used to do.

3. We reached Girgaon Chowpaty at about 4.00 or 4.15 p.m. and were there upto 5.30 p.m. There was no writing in the office. I saw the articles that were shown in the ATS office on that day for the first time in my life. I did not have any knowledge about those articles. The

article may be of the length of my forefinger (about 2 inches). Every cylinder (kandi) had two separate wires attached to it. The wires were coming out from below the cylinder. Both the wires were attached from one side. The wires were about more than an arm and shoulder length (more than three feet). They were not longer than that. The wires and cylinders were not measured in my presence. We were not told about the marking or prints on the articles. The ATS officers had taken out the articles from the bottle and showed them to us. The articles were in the plastic bottles and we saw them in the bottles. I did not see what was outside the bottles and whether there was any writing on the bottles. I would describe the wires as short. The length of the wires and the cylinders was not mentioned in the panchanama. Other than what I described as having taken place at Girgaon Chowpaty, nothing else took place. The sandbag was small having about 3-4 kgs sand. I cannot tell the name of the officer who put sand in the bag. I was at the distance of about 10-15 feet from the spot where the sand was filled in the bag. The sand from the pit was not put in the sandbag. Sand was collected from around. Officer Jadhav had dug the pit. We went back to Kalachowki and the ATS officers

asked us to go home and took the articles inside the office. The wire now shown to me is longer than one meter about four feet. It is not true that such type of wire is available in any electrical shop. I cannot say for what purpose such wires are used. Electrical wires are thick and the coating is also thick. I cannot say whether they are telephone wires.

4. I was doing electrical work as I was unemployed. I did not have any licence or permit. I did not have any work on 20/10/06 as the shop where I used to work was closed. I was at the shop on 19/10/06. I did not go anywhere for work. The shop was by the side of my building. There was no name of the shop. The shop was by the side of the building of Prathamesh CHS. The shop was not in any building. The shop owner was one Godse. I was not employed there. On 18th and 21/10/06 also I had not gone outside for work. I do not know the full name of Godse. He was not paying any salary to me.

5. It is not true that I did not go to the Girgaon Chowpaty on that day and nothing happened in my presence and that I deposed falsely.

Cross-examination by Adv Wahab Khan for A2, 7, 10, 12 & 13

6. I do the work of wireman since 6-7 years. I can say whether

there is a short circuit on seeing the location, colour of the spot and melting of wire. The instrument that was operated had wires attached to it. I cannot tell the length of the wires. The wires were attached to that instrument. The wires attached to that instrument were extended. The wires were joined at two places. They were joined with the two wires of the cylinders (kandi). They were not joined at any other place. If wires are not joined, the current will not flow. There will be short circuit if ends of two wires come together. (Witness is shown two cylinders to which wires are attached. They are marked as **Arts-281 (1 and 2)**). It is true that if the broken wires in these two pieces are not joined, then the current will not be continuous. It is true that at one place in Art. 281 (1) it appears that the wires have been short circuited. I did not see three wires to any cylinder. (Witness is shown a cylinder to which two wires are attached and there is a separate wire in that bundle. It is marked as **Art.281 (3)**). I cannot say from where the third wire has come. The ends of the wires that are attached to the cylinders are not seen to be melted or blackened. The sandbag did not move from its place after the instrument was operated. The sand around the cylinders was not thrown up. People

did not start running after the instrument was operated. There was not much sound after the instrument was operated. The sand from the pit of the blast was not collected. I do not remember whether some articles were collected from the pit of the blast apart from those that were shown to me. I did not go to the pit and see what had happened there after the first time the instrument was operated. Same is the case about the remaining nine times. I do not remember whether after the 10th time the police called me near the pit to see the effect.

7. My father's name is Bhagatsingh Pawarusingh Thakur. We are residing at the given address since last 50 years. I have not given evidence in court before today. I have not signed on any other panchanama except this. Girgaon Chowpaty is about half an hour by vehicle from Kalachowki ATS office. My name and address was asked in the ATS office. We were not told about the facts of the case. It did not happen that I was called by HC Jadhav at Girgaon Chowpaty and he introduced PI Tajane and PSI Kisan Gaikwad and there PSI Gaikwad told me about the facts of the case. I cannot say whether it is incorrect if it is so written in the panchanama. I was with

the police from 3.00 p.m. to 4.25 p.m. We were talking during this period about the work. During this period police did not write anything and take my signature. It did happen that after the instrument was operated ten times, the officer asked me my name and started writing the panchanama. PI Tajne was dictating and Jadhav was writing. I cannot tell the approximate time till the end of the 10th time the instrument was operated. It may have taken 10-15 minutes. We left the ATS office at 3.30 p.m. and reached at about 4.00 p.m. The process of operating the instrument ten times was going on for about half an hour. Thereafter, my name and address was asked and the writing started. The panchanama was completed at about 5.30 p.m. All the officers were there till the panchanama was being written. All the articles were with the police when the writing of the panchanama was going on. The instrument was not operated and the cylinders were not placed in the pit during the writing of the panchanama. I cannot say whether it will be incorrect if it is so written in the panchanama.

8. I do not remember the make or the colour of the vehicle in which we had gone. I cannot tell the number of the vehicle. We had

gone in one vehicle. About 4-5 people could sit in the vehicle. We were five persons in the vehicle. We two panchas and three police officers had gone. There was no one else. We did not meet any other policeman at the spot other than the bomb squad. No policemen from the local police station came at the spot. The police officers were in civil dress. They did not show their identity cards to anyone and no one asked for showing it. There was not much crowd at that time. People had not gathered there. I did not pay attention as to how many people were there. I may have seen 10-12 people. I did not see whether there were shops nearby. No rope was used to cordon off the place. No sign board was put at some distance. Two policemen were made to stand there to prevent persons from going to the spot. They were PI Tajne and PSI Gaikwad. The bomb squad persons were operating the instrument. It is not true that I did not go there and the instrument was not operated in my presence. Officer Jadhav gave me his pen after he wrote the panchanama. I signed by the same pen by which he wrote the panchanama. It is not true that the panchanama was already written in the ATS office and I signed by another pen. It is true that the panchanama is written in black ink and

my signature is in blue ink. It is not true that I am a regular panch witness of the ATS. I have not requested the ATS or the SPP to hide my name and address for any reason. It is not true that I identified the articles on the say of the ATS and that I deposed falsely.

Cross-examination by Adv Wahab Khan h/f Rasal for A1 & 4 to 6

9. Declined.

No re-examination.

R.O.

Special Judge

Date:-02/11/2011

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