

M.C.O.C. SPECIAL CASE NO. 21 OF 2006**DATE:21ST NOVEMBER 2011****EXT. NO.1755****DEPOSITION OF WITNESS NO.164 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Dinesh Dashrath Gaikwad

Age : 34 years

Occupation : Service (PC-898 Solapur City)

Res. Address : 203/46, Vijay Deshmukh Nagar, Solapur,
Maharashtra.

Examination-in-chief by SPP Chimalkar for the State

1. I was attached to the ATS, Mumbai in October 2006. I resumed duty on 11/10/06 in between 9.30 and 10.00 a.m. ACP Patil called me in between 5.30 and 6.00 p.m. and gave me a letter and directed me to take the letter and two sealed packets to the FSL at Kalina on the next day. I joined duty as usual on 12/10/06. ACP Patil handed over two sealed packets in between 10.30 and 10.45 a.m. I checked whether the seals on the packets are intact and then I went to the office of the FSL at Kalina. I met the senior clerk at that office and gave the letter and its office copy and the two sealed packets to him. He gave acknowledgment on the office copy. The office copy of the

letter now shown to me is the same, it bears the signature of ACP Patil, my buckle number 03067 and the acknowledgment of the senior clerk of the FSL. (It is marked as **Ext. 1756**). The khaki wrappers Arts. 279A and 283B are of the sealed packets that I had taken. I returned back to the office and handed over the office copy of the letter to ACP Patil. He took my statement.

Cross-examination by Adv Rasal for A1 & 4 to 6

2. Declined.

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

3. The sealed packets were not given to me on 11/10/06. The letter was not given to me on 12/10/06. This is the only occasion when I took articles to the FSL. The seal impressions on the lac seals were of the ATS. I do not know whether the packets were sealed on 12/10/06. It is not true that they were sealed in my presence. I do not know from where the packets came in the hands of ACP Patil on 12/10/06. It did not happen that I took the packets from some clerk or officer. The malkhana of the ATS was at Bhoiwada. I do not know whether malkhana register was maintained there. The packets were given to me at Bhoiwada. I had not seen the packets

being kept at Bhoiwada. It is not true that there was no malkhana at Bhoiwada in October 2006. It is not true that the malkhana of the ATS was at Kalachowki in October 2006. I do not know about malkhana register being not maintained at Bhoiwada and whether it was maintained at Kalachowki. I do not know whether no muddemal clerk used to sit at Bhoiwada. I did not take the packets at Kalachowki. I did not read my statement. There is no reason why I remember specific dates. It is not true that I am tutored before giving evidence.

Cross-examination by Adv Kharat h/f P. L. Shetty for A3, 8, 9, 11

4. Declined.

No re-examination.

R.O.

Special Judge

Date:-21/11/2011

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