

**M.C.O.C. SPECIAL CASE NO. 21 OF 2006****DATE: 9TH FEBRUARY 2012****EXT. NO.2257****DEPOSITION OF WITNESS NO.184 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Dr. Ganesh Krushnakant Dhangar  
Age : 35 years  
Occupation : Medical officer (MT Agarwasl Municipal Hospital)  
Res. Address : Santoshi Bhavan, Swami Samartha Marg, At post  
Taluka Shahapur, Dist. Thane.

-----

**Examination-in-chief by SPP Raja Thakare for the Statement**

1. I was attached to the Cooper Hospital as Asst. Medical Officer in the year 2006. It is a municipal hospital like KEM, Sion, Bhabha, etc., and the OPD case paper are in the same format. When a patient is brought to the casualty, first his case paper is prepared and then after examination the findings are noted in the MLC register by keeping the OPD case paper below a carbon below it. Sometimes, rubber stamp of findings is also used to note the findings. History is taken from the patient himself, if he is in a position to give it. If not then it is taken from the person accompanying him. I have brought the original MLC registers that are maintained in the official course of

our work. Dr. Patil was working with me at the relevant time. I am conversant with his handwriting and I can identify it.

2. (Learned SPP asks the witness to go through the entries in the MLC register). The casualty entry at sr. no. 13962 shows that the patient by name Kamal Ahmed Vakil Ansari was brought on 21/07/06 by PC-22091 of the ATS at around 12.25 a.m. He was brought for medical checkup. I asked the accompanying police constable to wait outside to make the patient relax and comfortable. I then asked him about any injury or any ailment. He himself gave the history. I asked him whether he had any major illness like TB, hyper tension, diabetes. He had no complaints. I then noted his blood pressure which was 120/70 mm/hg. I then physically examined the patient by stethoscope. His physical findings were normal and I noted them on the case paper. His cardio vascular, RS, CNS and PA were normal. No external fresh injury/trauma/assault seen over body or informed by patient. The contents of the attested true photocopy of the entry are as per the contents of the entry in the original register. (It is marked as **Ext.2258**). The contents of the OPD case paper are as per the contents of the original entry. (It is marked as **Ext. 2259**). I

had examined the patient and his name and the findings are in my handwriting.

3. The casualty entry at sr. no. 14356 shows that the same patient was brought on 26/07/06 by HC-1842 of the ATS at around 8.42 p.m. He was brought for medical checkup. As per the entry Dr. Shailesh Patil examined him and noted the findings, which are the patient was conscious, he had no complaints, no external injuries were seen. RS, CNS, CVS and PA were normal. Pulse was 78 and BP was 120/80. He was referred to medical. The contents of the attested true photocopy of the entry are as per the contents of the entry in the original register. (It is marked as **Ext.2260**). The contents of the OPD case paper are as per the contents of the original entry. (It is marked as **Ext. 2261**). Behind the OPD case paper are the findings by house officer under medicine unit, which are normal.
4. The casualty entry at sr. no. 15064 shows that the same patient was brought on 07/08/06 by PN-24511 of the ATS at around 4.25 p.m. He was brought for medical checkup. As per the entry Dr. Shailesh Patil examined him and noted the findings, which are the patient was conscious, he had no any major complaints, temperature

normal, BP 120/80, CVS, RS, CNS and PA-NAD. No external fresh injury/trauma/assault seen over body or informed by patient. The contents of the attested true photocopy of the entry are as per the contents of the entry in the original register. (It is marked as **Ext.2262**). The contents of the OPD case paper that are on the front side of Ext. 2122 are as per the contents of the original entry.

5. The casualty entry at sr. no. 15063 shows that the patient by name Mohd. Faisal Aatur Rehman Shaikh was brought on 07/08/06 by PN-24511 of the ATS at around 4.20 p.m. He was brought for medical checkup. As per the entry Dr. Shailesh Patil examined him and noted the findings, which are that the patient was conscious, cooperative, he had no any major complaints, temperature normal, BP 120/80, CVS, RS, CNS and PA-NAD. No external fresh injury/trauma/assault seen over body or informed by patient. The contents of the attested true photocopy of the entry are as per the contents of the entry in the original register. (It is marked as **Ext.2263**). The contents of the OPD case paper that are on the front side of Ext. 2179 are as per the contents of the original entry.

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

6. I am an MBBS doctor. The average quantity blood in a human body is 5-7 litres. Ethyl alcohol is poisonous in large quantity. 94 mgs ethyl alcohol in 100 ml of blood will be poisonous. With this proportion man will become intoxicated, but not necessarily unconscious or that he will die. I cannot say whether ethyl is a stupefying substance. However, it can have a hypnotic effect. It can have tranquilizing effect. Raw ethyl alcohol is not available in market.
7. It is necessary to take for our record the thumb impression, signature or note down the identification mark of the person whom we examine. It is true that these things are not on the documents about which I deposed. It is not true that the reason for this is that none of the patients were produced before us. Dr. Shailesh Patil is in service and is available. He did not examine the patient in my presence. As per the record I stated that the patient himself gave the history. (Learned advocate asks the witness to go through the entries about which he has deposed). It is not true that none of the entries bear the endorsement about the patient having given the history. It is not true that the words in the rubber stamp do not show that history was given by the patient. It is not true that it was already decided that the

custody patient will not have any external injury, etc. The words in the rubber stamp about the injuries is for normal patients and if a patient complains about injury, then we go in for detailed examination and note the injuries, after striking out the stamped words. The custody patient produced before us for fitness and also to see whether there are any injuries on his persons made by police or himself or any other person. We required about 4-5 minutes to examine a person. The entries are made in the next 2-3 minutes.

8. (Learned advocate asks the witness to go through the entries in MLC register and to state the time when the patients were examined). The patient at sr. no. 15057 was examined at 2.40 p.m., at sr. no. 15058 at 2.42 p.m., at sr. no. 14255 at 11.48 a.m., at sr. no. 14256 at 11.50 a.m., at sr. no.14263 at 2.50 p.m., at sr. no.14264 at 2.52 p.m., at sr. no.14265 at 2.54 p.m., at sr. no. 14266 at 2.55 p.m., at sr. no. 13889 at 5.04 p.m., at sr. no. 13890 at 5.07 p.m. It is not true that these timings show that the patients were examined within a minute or two. The timings are put by the registration clerk and they are the timings about issuing the OPD case papers. The patients were examined one or two minutes thereafter and the timings mentioned in

the entries are not the exact timings when the patients were examined. Entry no. 14409 is blank. The entry no. 14410 is on the same page. There is no endorsement at entry at sr. no. 14409 is canceled. I do not know why and at whose instance it is left blank. The entry at sr. no. 14376 is canceled.

9. I have examined patients who have complained of police torture. I am not aware of different methods of police torture. Testicular heamatoma is possible by police torture. It is not true that all the entries are made without the patient being produced for the examination at the behest of the ATS. I cannot tell the distance of our hospital from Kalachowki.

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

10. The findings in the rubber stamp in Ext. 2259 are in my handwriting. The casualty number, date and time are in my handwriting. Rest of the particulars above the findings are in the handwriting of the registration clerk. I am not aware who wrote the name Khalid by sketch pen at the top of the case paper. I cannot say whether the case paper was taken for the person by name Khalid. All the particulars about this entry in the register are in my handwriting.

It is true that the words in the rubber stamp which are not applicable are required to be struck off. The normal blood pressure of a person around 25 years of age is around 120-122 and 80-84. It differs according to age. Blood pressure fluctuates in case of heart attack, emotional trauma and major bleeding. Fear can be one of the cause of emotional trauma. The patients who were brought were in the custody of the ATS. The rubber stamp is always available for use. I did not have any talk with Dr. Patil in connection with patients that he had examined. I cannot say why rubber stamp is not used to write the findings in the entry at Ext. 2260.

11. The ATS did not inquire with me and take my statement about the procedure that I follow during the examination of the patient. It is true that it is not written in any entry that the policeman was asked to wait outside during the examination of the patient. It is not true that we had not examined patients on the relevant days and the entries were made mechanically in routine manner.

**Cross-examination by Adv Wahab Khan h/f Shetty for for A3, 8,**

**9, 11 and 12**

12. Declined.



No re-examination.

R.O.

**Special Judge**

**Date:-09/02/2012**

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

“ Taken before me and signed by me in the presence of the accused, to whom the deposition was explained and opportunity given to cross examine”.

**Special Judge**

**Date:-09/02/2012**

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