

**M.C.O.C. SPECIAL CASE NO. OF 21/06****DATE: 15<sup>th</sup> July, 2010****EXT.No.503****DEPOSITION OF WITNESS NO.24 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Suresh Dagdu Vandre  
Age : 26 years  
Occupation : Labour  
Res. Address : Ekta Mitra Mandal Society, Park Site, Vikroli(E),  
Mumbai.

**EXAMINATION-IN-CHIEF BY SPP RAJA THAKARE FOR THE STATE.**

1. On 20/07/06 police of Bandra Railway Police Station had called me in the police station. Another panch was also called. Police told us to accompany them for the purpose of panchnaama of metal pieces that were recovered from the bodies of injured persons in Holy Family Hospital, Bandra(W). We went by autorickshaw to the hospital. We went to the second floor and to the office of an officer of the hospital. PSI Pednekar was there. The hospital officer was there. He produced three round small plastic bottles in which there were metal pieces. Police took custody of those bottles under panchanama. Two bottles were put in a brown cover and one was put in another brown cover and they were closed and sealed. Police read over the panchanama and I signed it. I also signed on the brown covers. The panchanama now shown to me is the same, bears my signature at sr. no.1, signature of other panch at sr. no.2 and the signature of the police officer by the side. Its contents now read over to me are correct. (It is marked as **Ext.504**). I will be able to identify the plastic bottles that were seized. (Two sealed khaki covers of FSL, State of Maharashtra, Mumbai referring to CR No.A-86/06 and A-87/06 of Bandra Railway Police Station and case no. M-381/06 and M-

382/06, which are described at sr. no. 3 of list Ext.16C and at sr. no.2 of list Ext.16D respectively are opened. The first envelope is found to contain a brown torn envelope containing the description of A-86/06 and other details and the numbers M-381/06 and K-412/06 Ex.1,2. It also contains two small plastic bottles one with red cap and one with blue cap. The bottle with the red cap is opened and found to contain a small metal piece, four lac seals with threads and label). The metal piece is the same, the label contains my signature at sr. no.1 and the plastic bottle is the same. (Metal piece is marked as **Art-93**, the four lac seals with thread pieces attached to them are marked as **Art-93A(1to4)**, the plastic bottle is marked as **Art-93B** and the label is marked as **Art-93C**). The bottle with the blue cap is opened and found to contain a small metal piece, a cotton gauze and label). The metal piece is the same, the label contains my signature at sr. no.1 and the plastic bottle is the same. (Metal piece is marked as **Art-94**, the cotton gauze is marked as **Art-94A**, the plastic bottle is marked as **Art-94B**, the label is marked as **Art-94C**, the torn brown envelope is marked as **Art-94D** and the khakhi cover of FSL is marked as **Art-94E**).

2. The second sealed envelope containing the description of A-87/06 of Bandra Railway Police Station and other details and the number M-382/06 is opened and found to contain a torn brown envelope containing the description under the head CR No. 87/06, a label to which one lac seal is attached and another lac seal is joined with a thread. It also contains one small plastic bottle with red cap. The bottle is opened and found to contain a metal piece and label). The metal piece is the same, the label contains my signature at sr. no.1 and the plastic bottle is the same. (Metal piece is marked as **Art-95**, the label with the seals is marked as **Art-95A**, the plastic bottle is marked as **Art-95B**, the torn brown envelope is marked as **Art-95C** and the khakhi cover of FSL is marked as **Art-95D**).

**Cross-examination by adv Wahab Khan for A/2,7,10 &13**

3. All the labels were pasted by using gum. Thereafter the lac seals were put. It is not true that I signed on loose labels in the police station and went back. It is true that there are no gum markings behind the labels. It is not true that the labels were not pasted with the help of gum. I cannot say where the gum marks behind the labels have gone. It is not true that nothing was seized and sealed in my presence. It is not true that the plastic bottles were not seized from the hospital. I do not remember whether police told the hospital officer to sign on the panchanama. Signature of the hospital officer was not taken on the panchanama. Copy of the panchanama was not given to the hospital officer.
4. For the two earlier panchanamas, I was called at different places. I work by the side of the railway station. I have a tea stall by the side of the railway station. I do not have any licence for that. Railway police come to my stall sometimes. Local police do not come to my stall. It is not true that I am required to give money to the railway police. I was never penalized by the railway police, but the city police do charge me. Then I am required to go to the court. It is true that I plead guilty in the court and pay the fine and again continue the business. I have paid fine on a number of times. I felt that I was doing something wrong. It is not true that with the co-operation of the police I do the business there. It is true that enhanced fine was not imposed on me successively. It is not true that I signed on the labels and the panchanamas in Bandra Police Station and I identified the articles in court at the instance of the police. I have passed the second standard. It is true that there is a continuous traffic of highly educated persons from the Bandra Railway Station.

**Cross-examination by adv Mokashi for A/1, 4, 5 & 6, and h/f S.D.Erande for A/8**

5. (Cross examination by Adv Wahab Khan adopted).

**Cross-examination by P.L Shetty for A/3, 9, 11,12**

MCOC SPL NO. 21/10

PW-24/4

6. Declined.

**No re-examination.**

**R.O.**

**Spl. Judge**

**Date:- 15/07/10**

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