

M.C.O.C. SPECIAL CASE NO. OF 21/06**DATE: 21st July, 2010****EXT.No.524****DEPOSITION OF WITNESS NO.29 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Hemant Rajaram Satarde
Age : 39 years
Occupation : Driver
Res. Address : 1st floor, B' Block, Mahim Mansion, MMC,
Mahim(W), Mumbai

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

1. On 11/07/2006 at about 6.23 pm. I was outside the Mahim Railway Station when I heard the sound of a blast. When I went inside I saw commotion and I helped in carrying the bodies of deceased and in taking out the injured. After all this police called me for preparing panchanama of the spot. The motorman of that train showed the spot to me, another panch and the police. It was the coach where the blast had taken place. We climbed in the coach by a ladder, spot lights were directed on the coach. In the coach, I saw the coach to be damaged, the walls were blown outside, the benches were damaged, fans, tube lights were broken. Clothes, umbrellas, passbooks, identity cards, etc., were lying in the coach. A person by name Rane was video-shooting the spot. There was a person by name Daundkar, who was the chemical expert from Kalina, Santacruz. He took cotton swabs of blackened spots of blood on the surface in the coach and took pieces of clothes, metal strips. Police also collected several articles from the coach. The coach in which the blast had taken place was six coaches ahead of platform no.3 towards Borivali.
2. The coach was on platform no.3 when the blast had taken place. We were

taken to that spot. We saw a pit on the track near the platform and a hole in the roof of the platform. The fans, speaker, lights, etc., were damaged. Police prepared panchanama and I signed on it after reading it. The panchanama now shown to me is the same, it bears my signatures at sr. no. 2, signatures of the other panch at sr. no. 1 and the signatures of the police officer, at three places. Its contents now read over to me are correct. (It is marked as **Ext.525**).

3. I will be able to identify the articles that were seized from the spot. (Ld SPP requests for opening the packets at sr. no.1 to 5 in the list Ext.16B. All the packets are sealed packets of FSL, State of Maharashtra, Mumbai, bearing the description of case number as M-304/06, Mumbai Central Railway Police Station, CR No. 78/06). The packet no. 1 is opened and found to contain khaki wrapper pasted with white paper label containing the description of CR No. 78/06 and lac seal with thread, a small polythene bag and a swab of cotton in it. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the swab of cotton is the same. (Cotton swab is marked as **Art-117**, plastic bag is marked as **Art-117A**, khaki wrapper with label and seal is marked as **Art-117B** and the outer envelope of FSL is marked as **Art-117C**).
4. (The packet no. 2 is opened and found to contain khaki wrapper pasted with white paper label containing the description of CR No. 78/06 and lac seal with thread, a small polythene bag and two pieces of swab in it. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the two swabs of cotton are the same. (Cotton swabs are marked as **Art-118(1&2)**, plastic bag is marked as **Art-118A**, khaki wrapper with label and seal is marked as **Art-118B** and the outer envelope of FSL is marked as **Art-118C**).
5. (The packet no. 3 is opened and found to contain khaki wrapper pasted

with white paper label containing the description of CR No. 78/06 and lac seal with thread, a small polythene bag and burnt pieces of assorted articles in it. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the articles are the same. (The articles are marked as **Art-119(colly)**, plastic bag is marked as **Art-119A**, khaki wrapper with label and seal is marked as **Art-119B** and the outer envelope of FSL is marked as **Art-119C**).

6. (The packet no. 4 is opened and found to contain khaki wrapper pasted with white paper label containing the description of CR No. 78/06 and lac seal with thread, a small white polythene bag and a gray polythene bag. The white polythene bag is found to contain half burnt pieces of cloth, chain, sponge, paper, glass and mud, etc., in it. The gray polythene bag is found to contain another white plastic carry bag which is found to contain bundle of half burnt pieces of clothes and paper attached to it. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the articles in the both the bags are the same. (The half burnt pieces of cloth, chain, sponge, paper, glass and mud, etc., are marked as **Art-120 (Colly.)**, plastic bag is marked as **Art-120A**, The bundle of half burnt pieces of clothes and paper attached to it are marked as **Art-121**, white polythene bag is marked as **Art-121A**, gray polythene bag is marked as **Art-121B**, khaki wrapper with label and seal is marked as **Art-121C** and the outer envelope of FSL is marked as **Art-121D**).

7. (The packet no. 5 is opened and found to contain khaki wrapper pasted with white paper label containing the description of CR No. 78/06 and lac seal with thread, a piece of newspaper and four aluminum strips. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer

and the aluminum strips are the same. (The aluminum strips are marked as **Art-122 (1 to 4)**, piece of newspaper is marked as **Art-122A**, khaki wrapper with label and seal is marked as **Art-122B** and the outer envelope of FSL is marked as **Art-122C**).

8. (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and a small plastic bag torn in between and which is found to contain a small piece of white paper in which a small broken yellow metal chain is wrapped. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the chain are the same. (The yellow metal chain is marked as **Art-123**, the white piece of paper is marked as **Art-123A**, small plastic bag is marked as **Art-123B** and the label is marked as **Art-123C** and outer plastic bag is marked as **Art-123D**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and a zerox copy of identify card of HC-Balu Sakharam Kakad, No. 20322, card No. 29497. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the zerox copy of I-card are the same. (The zerox copy of I-card is marked as **Art-124**, the label is marked as **Art-124A** and plastic bag is marked as **Art-124B**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and a PAN card in the name of Nathmal Dhanraj Saboo and visiting card of Prakash Varma, film producer. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the PAN card and the visiting card are the same. (The PAN card is marked as **Art-125** and the visiting card is marked as **Art-126**, the label is marked as **Art-126A** and plastic bag is

marked as **Art-126B**). (A plastic carry bag containing a label and a brown handbag are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the handbag are the same. (The handbag is marked as **Art-127**, label is marked as **Art-127A** and plastic bag is marked as **Art-127B**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and ATM Card of ICICI Bank in the name of Arvind Agarwal. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the ATM Card is the same. (The ATM Card is marked as **Art-128**, the label is marked as **Art- 128A** and plastic bag is marked as **Art-128B**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and a cheque book of UTI Bank in the name of Roshan V. Kore. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the cheque book is the same. (The cheque book is marked as **Art-129**, the label is marked as **Art-129A** and plastic bag is marked as **Art-129B**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and three Western Railway I-cards in the name of P.R.Kutty, passes and visiting cards in plastic cover . They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the I-cards, passes and visiting cards are the same. (The I-cards, passes, visiting cards and the plastic cover are marked as **Art-130(colly)**, the label is marked as **Art- 130A** and plastic bag is marked as **Art-130B**).

9. (A plastic bag is opened and found to contain white paper label containing

the description of CR No. 78/06 and a passbook of State Bank of India and a TDR receipt of Rs.70,737/-in the name of Dhuri Ashok Digambar. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the passbook and TDR receipt are the same. (The passbook and TDR receipt are marked as **Art-131 (1&2)**, the label is marked as **Art- 131A** and plastic bag is marked as **Art-131B**). (A plastic bag is opened and found to contain white paper label containing the description of CR No. 78/06 and seven blood reports in the name of Nawal Mathuria. They are shown to the witness). The label now shown to me bears my signature at sr. no.2, it bears the signature of the other panch at sr. no.1 and the signature of the police officer and the blood reports are the same. (The blood reports are marked as **Art-132(1to7)**, the label is marked as **Art-132A** and plastic bag is marked as **Art-132B**).

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

10. The police officer signed in my presence by the same pen by which I had signed. The panchanama was also written by the same pen. One officer wrote the panchanama. It is true that there is a slight difference between the ink and the writing on the first two pages and the third page. It is true that the words in the first two pages are crowded and in the last page they are written spaciouly. I cannot assign any reason why this is so. It is true that the size of the first two pages is smaller than the third page. The panchanama was written by officer Godbole. It is true that the ink of the signature of officer Godbole behind page no.1 is different from the ink of the words in the other matter of the panchanama.
11. I am a driver and I used to do the same work in 2006. My working hours were from 08.00 am to 9.00 pm. I am in private service. My house is 20 minutes distance by train from Mumbai Central Railway Station. I was called from the railway station. I did not count for how many hours I was helping. Fire brigade

people had come. I again say that fire brigade people had not come. They came after some time. I did not go into the coach before police came there. I do not remember whether media people with cameras had come to the coach when I was taken there. Policemen were near the coach when I was taken there. I do not remember whether people from the public and police were going in the coach for help. The coach was visible from the platform. I do not know whether police were going in the coach for help.

12. I do not know whether police had asked me about my education. Police did not ask me whether I had acted as a panch witness earlier and whether I am related to the police. It is true that there was a considerable crowd there when the police called me. It is not true that educated people in good clothes were present on the platform when I was called. I did not know about the work of panch before this panchanama. I was taken to the coach at about 9.30-9.45 pm. I do not remember whether the coach was cordoned off by tying rope or making markings. There was no person in the coach before we entered. Focus lights and ladders were fixed on the coach before we reached there. I do not know whether photographs of the articles that were picked up were taken as they were lying in the coach. However, video shooting was done. The chemical expert and the photographer were already there. I do not know what they did before I reached there. There was no policeman with them. It is not true that my signatures were taken on loose labels. (Witness is shown the loose label Art-123C). The label contains my signature. I do not remember how the loose labels are there. It is not true that I signed on loose labels in the Mumbai Central Railway Station. It is not true that the entire panchanama is not in the handwriting of one officer. I do not know whether it is written by different pens. It is not true that the panchanama was not prepared in my presence, that no articles were seized in my presence, that I gave false evidence and identified the articles as tutored by the police.

Cross-examination by adv Mokashi for A/1, 4, 5 & 6

13. I was outside the Mahim Railway Station when the blast took place. I heard the sound of the blast. It is true that people from the public rushed towards the spot of the blast. It is true that people from Dharavi and on the road in Mahim (W) also rushed there. I was one amongst the people who went there. It is true that clouds had gathered at that time. It is true that if any incident happens in Mumbai, fire brigade is called. The incident of blast was a serious incident. Fire brigade people had come there after some time and they helped in the rescue operation. Fire brigade people and members of public also may have gone in the coach. I do not know whether it rained heard after the blast upto the time of the panchanama. I was engrossed in the rescue work. It is true that there was mud and pools of water on the tracks and road. I was helping from the platform no. 3 to platform no.1. It is not true that there was nothing to do on the platform and whatever had happened, had happened in the coach.
14. The chemical experts team had come there. They were three persons. I do not know from where they had come. It is correct that police came late at the spot. It is true that I do not know what rescue work the fire brigade did. I do not know whether there was smoke from the coach and it had become hot. I saw the coach. It was drizzling at the time of the blast. It is not true that because of the drizzling, the rescue work was hampered. People were participating in the rescue work though they were getting wet.
15. Before the panchanama I had not seen the coach from inside by going there. It is true that the injured were removed from the coach before we went there for panchanama. It is true that articles were lying scattered in the coach. Nobody had made any efforts to collect them. It is true that the floor of the coach was somewhat wet. The roof of the coach was bent but there was no hole. The sides of the coach had ripped off. It is not true that the chemical expert did not do anything

at the spot in my presence, that he had not taken any cotton swabs from the spot. (Witness is shown Art-117B). It is not true that the cotton swab Art-117 was not seized in my presence. (Witness is shown Art-118 to Art-118C). It is not true that the label Art-118B mentions cloth piece and not cotton swab. (The words in Marathi are encircled by red ink at the request of Ld Adv). It is true that the articles were seized on 11/07/2006 and the label is dated 12/07/2006. It is not true that I had not participated in any act, that nothing was seized in my presence, that I signed on the panchanama later on.

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

16. Declined

Cross examination by Adv Mokashi h/f S.D.Erande for A/8

17. (Cross-examination by Advs Mokashi for A/1, 4, 5 & 6, Wahab Khan for A/2,7,10 &13, P.L Shetty for A/3, 9, 11,12-Adopted).

No re-examination.

R.O.

**Spl. Judge
Date:- 21/07/10**

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