

**M.C.O.C. SPECIAL CASE NO. OF 21/06**

**DATE: 16TH NOVEMBER, 2010**

**Ex.No. 681**

**DEPOSITION OF WITNESS NO.56 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Dr. Russell Pinto

Age : 48 Years

Occupation : Consultant Surgeon at Holy Family Hospital, Bandra

Res. Address : Flat No.2, Silverydee, St. Paul's Road, Bandra (W),  
Mumbai-50.

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

1. I am attached to Holy Family Hospital at Bandra as a consultant surgeon since 1993. In July, 2006 I had an occasion to treat a patient involved in the railway serial bomb blasts. I had treated patient by name Vishal Vijay Nagaich. I have brought all the original case papers of that patient with me today. On going through the case papers, I state that the patient was brought at 11.45 p.m. on 11/07/06 with a history of blast injuries to the face, neck and head. He also had severe abdominal pain. The patient was in shock. The C.T. scan showed a large haemoperitoneum of one to two

litres and large splenic contusion. It also showed shrapnel in the right side of the neck and the right temporo parietal lobe of the brain with the fracture of the right mandible. In view of these findings the patient was taken up for emergency surgery. We opened his abdomen as exploratory laparotomy and removed his spleen with two litres of blood. This was done on 12/07/06 at 12.30 a.m. On 15/07/06 the patient's neck and head wounds were explored and a triangular shaped foreign body was removed from the right side of the neck. There was brain matter coming out from the right side of the brain, which was managed by the neuro surgeon. The patient recovered over a period of time and was discharged on 31/07/06.

2. The hospital issued a certificate, it is the same now shown to me, it bears my signature and the signature of the senior medical superintendent, Dr. Rebello, its contents are correct. (It is marked as **Ext.682**). I am ready to produce the zerox true copies of the case papers that are signed by the medical director Dr. Shenoy of our hospital. These papers are the record that we ordinarily maintain in our course of work. (The zerox copies are verified from the original case papers and found to be correct). I am ready to produce the zerox copies.(They are collectively marked as **Ext.683**). Soon after the surgery, the foreign body that was removed, was put in a plastic container,

sealed and given to the medical superintendent. I will be able to identify the foreign body that I had removed. (Witness is shown Art-95). This is the same foreign body that was removed from the right side of the neck of that patient. If the patient would not have been operated within two to three hours, he would not have survived because of the injuries.

3. I had also treated a patient by name Ashok Raghuvver Rao who gave the history of being injured in the railway bomb blasts. He was admitted on 11/07/06 at 11.40 p.m. He had injuries to the scalp, on the right side of the chest with a blood clot on the right side of the chest wall with a lacerated wound on the left leg and multiple abrasions all over the body and face. The patient was operated on 12/07/06 at 12.30 p.m. for emergency exploration of wound on the right side of the chest, removal of foreign body from the same wound, suturing of multiple contused lacerated wounds on the face and leg. The patient was discharged on 16/07/06.

4. The hospital issued a certificate, it is the same now shown to me, it bears my signature and the signature of the senior medical superintendent, Dr. Rebello, its contents are correct. (It is marked as Ext.684). I am ready to produce the zerox true copies of the case papers that are signed by the medical director Dr. Shenoy of our hospital. These papers are the record that

we ordinarily maintain in our course of work. (The zerox copies are verified from the original case papers and found to be correct). I am ready to produce the zerox copies.(They are collectively marked as **Ext.685**). Soon after the surgery, the foreign body that was removed, was put in a plastic container, sealed and given to the medical superintendent. I will be able to identify the foreign body that I had removed. (Witness is shown Art-93). This is the same foreign body that was removed from the right chest wound. The injury was critical but not life threatening.

**Cross-examination by Adv P. L. Shetty for A/3, 8, 9, 11 and 12**

5. I conducted both operations on the two patients. I am not very sure, but about 10-15 injured persons in the bomb blasts were treated in our hospital. As far as I remember, I had treated only these two persons. On 11/07/06 I examined both the patients when they were admitted in the hospital. I cannot say whose handwriting it is on the label on the plastic bottle Art-93B and Art-95B. From both patients metallic pieces were removed. By sealing I mean that the lid of Art-95B of the plastic bottle was closed with paper tape and the lid of Art-93B was closed with sticking plaster as is the position of the bottles now. One of the staff nurses may have pasted the paper tape and sticking plaster. I cannot tell the name of the nurse.

Neither the label nor the plastic bottle nor the metal pieces bear my signatures. It is true that the size, weight and description of the metal pieces are not written in the case papers. It is not true that I identified the metal pieces just because they are in the plastic bottles. It is true that while identifying the pieces in court, I did not compare them with their photographs in the case papers. The case papers were not given to the police as far as my knowledge. I have brought the originals from my hospital. I do not know when the two plastic bottles were handed over to the police.

**Cross-examination by Adv Rasal for A/1 and 4 to 6**

6. I was assisted by my staff when I performed these operations. It is not true that the metal pieces were handled by my staff. It is not true that cleaning of the wound is done by my staff. It is done by me. It was at the time of operation. The patients were seen in the emergency room and only dressing was done in my presence. I was not with the patients continuously from the time they were admitted till I performed the operations. When the patients were admitted the wounds were cleaned by the nurses. Normally the wounds are cleaned by savlon or saline or betadine. Normal saline contains distilled water. Savlon is not used before operation. Only betadine is used. Savlon contains cetremide and betadine contains povodine iodine. It is true

that in the injury certificates Ext.682 and 684, there is not mentioned that the metal pieces were handed over to the medical superintendent.

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

(Adopted cross-examination by adv Shetty and Rasal).

No re-examination.

**R.O.**

**Special Judge**

**Date:- 16.11.2010**

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