

M.C.O.C. SPECIAL CASE NO. OF 21/06**DATE: 13TH APRIL, 2011****EXT. NO. 896****DEPOSITION OF WITNESS NO.90 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Shrimant Maruti Jadhav
Age : 54 years
Occupation : Service (HC-731, Wadala Railway Police Station)
Res. Address : Navnath Chawl, Vikroli Park Site, Behind Vikroli
Police Station, Mumbai-83.

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

1. I was attached to Mumbai Central Railway Police Station in 2006. I have participated in the investigation in the railway serial bomb blasts of 11/07/06 mainly to take the articles in my custody and to reach them to the FSL, Kalina and from there to the ATS office at Kalachowki. I had taken some muddemal articles from the custody of Police Station Shahu Nagar on 16/07/06 and deposited them in our police station, i.e., Mumbai Central Railway Police Station. The articles were in two packets. Sr. PI Rathod took my statement in this connection.
2. I took the custody of sample bottles from the Sion Hospital on

24/07/06 concerning Sojiram Modulal Meena and Nitin Sukhlal Patil and took them to the FSL, Kalina along with the forwarding letters from our police station. The office copies of the forwarding letters now shown to me are the same, they contain the acknowledgments of the receiving clerk and my name and buckle number. (They are marked as **Exts. 897 and 898** as learned advocates for the accused consent).

3. I took three sealed bottles received from Sion Hospital from my police station on 11/08/06 to the FS, Kalina along with the forwarding letters and the forwarding letters of the hospital concerning injured Kalpesh Raut, Jago Rao and L. R. Pande. The receiving clerk of the FSL office gave acknowledgment on the forwarding letters of the Sion Hospital. The forwarding letters contain my name and buckle number. (The forwarding letter of Mumbai Central Railway Police Station concerning Kalpesh Raut is marked as **Ext.899**, the forwarding letter of the Sion Hospital containing acknowledgment of the Sr. Clerk, FSL is marked as **Ext.900**. The CA report along with it is received in evidence under section 293 of the Code of Criminal Procedure, hence it is marked as **Ext.901**. The forwarding letter of Mumbai

Central Railway Police Station concerning Jago Rao is marked as **Ext.902** and the forwarding letter of the Sion Hospital containing acknowledgment of the Sr. Clerk, FSL is marked as **Ext.903**. The forwarding letter of Mumbai Central Railway Police Station concerning L.R. Pande is marked as **Ext.904** and the forwarding letter of the Sion Hospital containing acknowledgment of the Sr. Clerk, FSL is marked as **Ext.905**).

4. I brought four sealed packets in CR no. 77/06 and five sealed packets in CR No.78/06 of Mumbai Central Railway Police Station from the FSL, Kalina on 10/10/06. I deposited the sealed packets with the muddemal clerk of our police station and made entry in the station diary about it. I brought three sealed boxes containing bottles from the FSL, Kalina on 17/10/06 and deposited them with the muddemal clerk of our police station and made entry in the station diary about it. The boxes Arts-34A, 35A and 36A now shown to me are the same. I brought four sealed packets on 10/11/06 from the FSL, Kalina and deposited them with the muddemal clerk and made entry in the station diary about it. The envelopes Arts-313D, 314C, 315C and 316C are the same now shown to me. My statement was recorded

from time to time on every occasion.

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

5. I was not attached to the ATS at any time. It is true that our muddemal room is separate from the muddemal room of the ATS. I did not take any article from the ATS office to the FSL and from the FSL to the ATS office pertaining to this case. I received all the articles from my police station for being taken to the FSL, Kalina except a few that I took from the Sion Hospital. Sr. PI B. B. Rathod had told me to take the articles on every occasion. He gave the instructions at the Mumbai Central Railway Police Station. It is not true that he gave the articles personally to me. I collected all the articles from the muddemal room of our police station. I do not know when and who had deposited the articles in our police station. I will not be able to identify the articles in the sealed packets or boxes that I had carried and brought back.
6. I was assisting Sr. PI Rathod after the blasts in connection with the work of hospitals. It did not happen at any time that I returned back as the FSL office did not accept the articles. If the seal impressions are of the hospital, then there is no question of putting

the seal impression of our police station on the forwarding letters. It is true that seal impressions of our police station are not appearing on Exts. 897 to 899. It is true that other than this case I have taken articles from the hospitals and from our police station to the FSL, Kalina and back during 2007 to 2010. I do not remember the dates and details of those visits. It is not true that I read my statements before giving evidence.

(Adjourned for recess).

Date : 13/04/11

SPECIAL JUDGE

Resumed on SA

7. I know that PI Rathod was deputed to the ATS. I cannot tell the date when he was deputed. I had handed over the packets to the muddemal clerk of our police station and not to PI Rathod, when I brought them from the ATS. I cannot assign any reason why I cannot tell the dates of taking articles to the FSL and back during the years 2007 to 2010. My statements were recorded on seven occasions. I do not remember whether they were taken in the ATS office or in the Mumbai Central Railway Police Station. I was never called to the ATS office and I never went there. All my statements were taken in the

Mumbai Central Railway Police Station by PI Rathod. They were typed on the computer. It was a laptop. I do not know where the printouts were taken. It is not true that I was not given the statements for reading. I do not know whether the laptop was not officially provided to the Mumbai Central Railway Police Station and whether it was PI Rathod's personal laptop. I saw the laptop there whenever I was called there. I do not remember whether PI Rathod used to type personally. I do not remember whether the laptop used to be taken outside for taking out printouts and whether PI Rathod used to get the printouts done from outside. I cannot say what was the time gap in between recording my statement and bringing its printouts. It is true that none of the forwarding letters contain my signatures. It is not true that I did not take articles from the Mumbai Central Railway Police Station to the FSL, Kalina and back. It is not true that I did not give the statements. It is not true that I deposed as tutored.

Cross-examination by Advs Ms Anushree Rasal h/f Rasal for A/1 and 4 to 6 and Wahab Khan h/f P. L. Shetty for A3, 8, 9, 11 and 12

8. Declined.

(Ld SPP submits that one more forwarding letter is required to be

shown to the witness. Hence, he requests for re-examining the witness. Learned advocates for the accused have no objection).

Re-examination by SPP Raja Thakare for the State

9. PI Rathod directed me on 12/07/06 to take five sealed parcels to the FSL along with the forwarding letter. Accordingly I took the five sealed parcels to the FSL, Kalina, deposited the parcels there and the concerned clerk gave an acknowledgment on the office copy. Office copy of the letter now shown to me, is the same. (It is marked as **Ext.906** as learned advocates for the accused consent). It bears the impression of the seal in the left corner, that were on seal parcels.

Re-cross-examination by Adv Wahab Khan for A2, 7, 10 & 13

10. The impression of the seal is put on the forwarding letter so as to compare the seals on the sealed parcels with it. The impression on Ext.900 is of the hospital seal. PI Rathod took my statement.

No re-examination.

R.O.

Special Judge

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

MCOC SPL.21/06

PW 90/8

Ext.896

Date:-13/04/2011

MUMBAI.