

M.C.O.C. SPECIAL CASE NO. OF 21/06**DATE: 5TH MAY, 2011****EXT. NO. 971****DEPOSITION OF WITNESS NO.97 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Santosh Hindurao Salunkhe

Age : 32 years

Occupation : Service (PC- 01-658)

Res. Address : E/13/6, Marol Police camp, Marol Maroshi Road,
Andheri (E), Mumbai-59.

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

1. I am attached to ATS, Juhu Wing since 2004. I came on duty on 11/10/06 at 9.00 a.m. ACP Patil called me in his cabin at about 11.30 a.m. to 1200 hour and gave me a forwarding letter and its office copy addressed to the FSL, Kalina and five sealed plastic packets and directed me to reach them to the FSL, Kalina immediately. Accordingly I took the forwarding letter and the packets, made station diary entry and went to the FSL, Kalina. I handed over the forwarding letter and the sealed packets to the receiving clerk. He took them and

gave an acknowledgment on the office copy of the forwarding letter. The office copy of the forwarding letter now shown to me is the same, it bears the signature of ACP Patil and it mentions my buckle number. It also bears the acknowledgment of the receiving clerk. (It is marked as **Ext.972** as the learned advocates for the accused consent). The reports of the FSL were received by our office, they are the same now shown to me. The first report mentions my buckle number. (They are received in evidence u/s 293 of the Cr. P.C and marked as **Exts. 973 and 974**).

2. (Learned SPP makes a request for opening a sealed cover at sr. no.4 of list Ext.16 F of the FSL, State of Maharashtra, Mumbai. It is given to the learned advocates for the accused for inspection. It bears the description- (1) Name of Division- G. A. & I. Div, (2) Case no. M-485/06, (3) Exhibit no.- 1 to 5, (4) Police Station-ATS, & (5) CR No. 156/06. It is in a sealed condition. On opening it is found to contain five plastic packets containing certain articles). The plastic packets are the same. They were in a sealed condition when I took them.
3. I returned back to the police station, gave the office copy of the

forwarding letter to ACP Patil and made station diary entry. ACP Patil took my statement on 11/10/06.

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

4. Sr. PI Deshmukh, some head constables and staff were present in the Chandanchowki office when I resumed duty on 11/10/06. It is true that the officers of our office were making inquiries into the bomb blasts of 11/07/06. I had accompanied Sr. PI Deshmukh on some occasions during the inquiry. ACP Patil had called me to the ATS office at Bhoiwada on 11/10/06. It is not true that he had come to the Chandanchowki office of the ATS. Other constables like me were present in the Bhoiwada office when I went there. The letters and the five packets were ready when I reached there. I took the packets in my possession at about 1200 hours. I handed over the letter and the packets in between 12.30 to 1.30 p.m., but I do not remember the exact time. I had not gone to the FSL, Kalina before that day. The receiving clerk gave an acknowledgment on the office copy of the forwarding letter by putting his stamp, signature and my buckle number in his register. My buckle number is 01-658. It is true that the receiving clerk entered the number of

packets and my buckle number in the relevant column of the office copy of the forwarding letter. It is true that it is not so written in the column on page 2. I now again say that my buckle number was written in the register. It is not true that the receiving clerk did not give an acknowledgment on the letter. It is true that I had given my buckle number as 01-658 to the receiving clerk. It is not true that on that day I did not take the forwarding letter and the five packets to the FSL, Kalina.

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

5. (Ms. Shaikh h/f Wahab Khan submits that he is busy in CR No. 24 and another witness be interposed).

Cross-examination by adv P. L. Shetty for A3, 8, 9, 11 and 12

6. (Adv Mor h/f adv Shetty submits that he is busy in arguments in the Thane court and will come after some time).

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

7. The ATS head office was at Nagpada and there were offices of units at Kalachowki, Bhoiwada, Chandanchowki and Vikroli. I was attached to LA-IV before being posted to the ATS. It is true that after the railway blasts in July, 2006 the work in our office had increased

considerably. Sr. PI Deshmukh, PI Tonapi and our staff were engaged in the investigation of this case. It is true that there were no timings of our duties. I do not remember whether I had gone to Mira Road with the officers for the investigation of this case. It is true that I had gone at many places in July, September and October, 2006, but I do not remember the exact places. The officers had inquired with accused in our office. I do not remember whether the inquiry was with 3-4 accused. I do not know whether witnesses were brought to the police station, but panchas had been brought. They had been brought in connection with disclosure statement made by accused. I do not remember whether panchanamas were written in the office.

8. I used to report to the office at about 8.30 or 9.00 a.m. and station diary entry used to be made about it. There used to be no station diary entry about leaving the office after work. It is true that I did not mention while giving my statement that I had gone to Bhoiwada to take the letter and packets. I cannot assign any reason why I did not mention it. I did not mention Chandanchowki office, but I mentioned that I came on duty at the Chandanchowki office. Our office did not have the brass seal at that time. If it was required we

used to get it from Kalachowi office. I do not know the procedure of bringing the seal. It is not true that I did not go to Bhoiwada on 11/10/06 and I did not take the articles to the FSL on that day, that I deposed falsely after I read my statement.

Cross-examination by adv P. L. Shetty for A3, 8, 9, 11 and 12

(Adv Mor h/f adv Shetty submits that he is busy in arguments in the Thane court and will come after some time).

(Adjourned for recess).

Date:-05/05/2011

Special Judge

Resumed on SA after recess

9. I joined the police force in October 2001. I did not go to the FSL, Kalina after this occasion. I used to be at the Chandanchowki office of the ATS. Sr. PI Deshmukh, PI Tonapi and PSI Kandarkar were the only senior officers attached to this unit during June to October 2006. The paper labels were pasted outside the plastic packets, tied with thread and there were lac seals. I did not see the number of lac seals on the packets. I do not know when the packets were sealed and who had sealed them. I had helped at the time of preparation of the panchanama in this case once. This was two days

before I went to Kalina. ACP Dhawale, PI Deshmukh and other staff were present at that time. The panchanama was in connection with the accused by name Faisal. This was on 08/10/06. I do not know what was seized, because I was not at the spot and I was driver of the vehicle. I do not know the spot, but I had taken the vehicle to the Dahisar subway. I had seen the plastic packets in the hands of the officers when they returned back from the spot. I do not remember in whose hands I saw them. I do not know when the forwarding letter was prepared and who prepared it. I cannot say when the seal impression was put on page 2 of Ext. 972 and who put it. I do not know when and by whom the seal was brought from Kalachowki to Chandanchowki.

No re-examination
R.O.

Special Judge

Date:-05/05/2011

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