

**M.C.O.C. SPECIAL CASE NO. OF 21/06****DATE: 5TH MAY, 2011****EXT. NO. 975****DEPOSITION OF WITNESS NO.98 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Subhash Jairam Tambe  
Age : 40 years  
Occupation : Service (PN-2268)  
Res. Address : 12/21, Railway Police Vasahat,  
Ghatkopar (E), Mumbai-75.

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

1. I was attached to Andheri Railway Police Station in 2006. I came on day duty on 15/07/06 at 8.30 a.m. Sr. PI M. D. Raskar was the police station in-charge. He called me in his office in the afternoon and directed me to reach the seized articles in CR No. 41/06 pertaining to the bomb blast at Jogeshwari Railway Station to the FSL, Kalina. He gave me a forwarding letter and its office copy addressed to the FSL, Kalina and three sealed packets and directed

me to reach them to the FSL, Kalina. Accordingly I took the forwarding letter and the packets and went to the office of 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 Sr.PI Raskar and it mentions my name and buckle number. It also bears the acknowledgment of the receiving clerk. (It is marked as **Ext.976** as the learned advocates for the accused consent).

2. (Learned SPP makes a request for showing to the witness the sealed envelopes at sr. no. 17 & 18 of list Ext.16E. They are given to the learned advocates for the accused for inspection). The envelopes are the same. They were in a sealed condition when I took them. I returned back to the police station, gave the office copy of the forwarding letter to Sr.PI Raskar and made station diary entry. Sr. PI Raskar took my statement.
3. The CA reports were received in due course 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 **Ext.977 and 978**).

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

4. I did not bring the CA report from the FSL, Kalina. I do not know who brought the reports of the FSL and on what date. I do not remember how many other constables like me were present in the police station on 15/07/06. I do not remember whether any other person of our police station was sent to the office of the FSL on that day for similar work. The letters and the envelopes were ready when I was called by the Sr. PI. The envelopes were given in my possession by the PSO, who had them with him. I do not remember his name. I was not required to put my signature in any register for having received the envelopes. I only made station diary entry. The PSO made the station diary entry on that day, i.e., on 15/07/06 itself. I do not know who had put the outward number and the note on the forwarding letter. The receiving clerk had put the date and time below his signature on the office copy of the forwarding letter. (Witness is shown office copy of letter Ext.976). It is true that the time is not mentioned. It is true that the date below the signature of Sr PI. is 14/07/06 and there is alteration in the date at the top of the office

copy of the forwarding letter. It is not true that I had not gone there on 15/07/06 and that the receiving stamp and signature were obtained later on.

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

5. I had never taken any articles to the FSL, Kalina except on this occasion. I did not read my statement before giving evidence. There are two types of round seals in our police station. One is for the rubber stamp and one is for the seal. Rubber stamp is used for correspondence and the seal is used for sealing seized articles. I do not know whether the words in the rubber stamp and the seal are different. It is true that the rubber stamp on the first page on Ext. 976 is the one that is used for correspondence. It is true that specimen of the seal impression of the seal put on the lac seal is to be affixed on the letter. It is not true that such a specimen of the seal impression is not put on the forwarding letter. I had collected the articles from the PSO. It is true that the packets were on the table in front of the PSO. I had not kept them there.
6. The muddemal room of our police station is separate. I do not remember the name of the staff member who was in-charge of the

muddemal in 2006 and who was on duty on 15/07/06.

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

7. (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**

8. Declined.

No re-examination  
R.O.

**Special Judge**

**Date:-05/05/2011**

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