

Evidence of this witness is recorded through V. C. as per order passed below Exh.35

Sessions Case No.40/2016
Exh.No.36.

Deposition of witness No.4 for prosecution :-

I do hereby on solemn affirmation state as under :-

My name is : S. G. Gutte,
My age is about : 37 years,
My occupation is : Service, API.
My residence is at : Akot, Gramini Police Station,
Dist. Akola.

Examination-in-chief by APP Shri G.K.Musale for prosecution.

1. In September 2014, I was in a Special Police Squad at Sub Divisional Office. On 02/09/2014 at about 04:00 a.m. Dy. S.P. Shri. Patil called me and other police staff in his office and gave secret information to us. At that time myself, PN. Bade, PN. Shinde and PC. Gaikwad had come there. At that time he told us that four to five persons were in Vilad Ghat, who are assaulting the pedestrians and occupants of the four wheelers and are looting them, and they are in the preparation of dacoity and he gave orders to initiate the action against them. I called two panchas and gave them the secret information and requested them to act as a pancha and they consented accordingly. At about 04:40 a.m. we all went to the Vilad Ghat on Nagar-Manmad Road, in Nimblak Shivar. Near the by-pass five to six persons were sitting near cement wall of water channel. When they saw us they tried to flee away.

2. Myself, PN. Bade, PN. Shinde and Gaikwad chased them and caught four persons. One of them fled away due to darkness. After that we brought them near our Jeep and made them stand in

the light of our Jeep. Then we asked them their names. They told their names as Lakhan Thorat, Onkar Gunjal, Santosh Avhad, Sagar Bhand. When we asked the information who had fled away, they told as Shubham Sonawane. We took personal search of the accused in presence of the panchas. We found 38 cm long Sattur, having wooden handle in the possession of Lakhan Thorat. One knife having plastic handle 12 cm long in the possession of Sagar Bhand. One 56 cm long Gupti having wooden handle found in the possession of Omkar Gunjal. One silver colour with black colour handle country made pistol found in the possession of Santosh Bhand. One Bajaj Motorcycle No. MH-16-AW-4737 found in their possession. Three mobile handset out of them two Nokia and one of Wing company is found in their possession. Muddemal worth Rs.40,000/- is found in their possession. I panchanama was prepared in presence of panchas. Now panchanama shown to me is the same. It bears my signature as well as signatures of two panchas. Contents are true. It is marked as **Exhibit 37**. We brought all accused along with articles to the MIDC police station. Now Muddemal receipt shown to me is the same. Contents are true. It is marked as **Exhibit 38**. PC. Bade lodged the report. Daily Report was sent to Senior officer. Further investigation was handedover to PSI Devadkar. She had only recorded statements and filed charge-sheet. I can identify the accused if shown to me. Accused No.3 is present in the court today.

Chief examination over.

Cross Examination-in-chief by Adv. Shri. R. M. Pawar for accused No.3

3. It is true to say that, the office of our squad is in the premises of Kotwali Police Station. It is true to say that, when we were in Kotwali Police Station we received the secret information through our senior. I do not remember whether I have made Station Diary entry about the receiving of secret information. It is true to say that the office of the Dy. S.P. is on the first floor of the Kotwali Police Station. It is not true to say that we have not gone by police jeep at any spot. We have a police jeep. It is not true to say that as entry is not taken in the log book, we have not taken the police jeep. It is true to say that MIDC Police Station is near to the spot and approximately 8 to 10 km from Kotwali Police Station. It is true to say that we did not intimate to the MIDC Police Station about the secret information or to take action. It is not true to say that we did not receive any secret intimation, so we did not intimate to the MIDC Police Station.

4. We did not find the people who were assaulted. I do not know whether some people complaints about it later. It is true to say that it was revealed in the investigation that the people who were assaulted or looted were not found by the police. We came to MIDC police station at 05:00 to 05:30 a.m.. We did not receive any information that any dacoity took place on the night of the incident. We did not make any arrest panchanama on the spot. It is not true to say that we did not find any persons on the spot, so we did not make arrest panchanama on the spot. It is not true to say that I am deposing false that we went on the spot and we found the accused and we found the weapons with them and we prepared panchanama. It is not true to say that I am deposing false on the say

of our senior.

**Cross Examination-in-chief by Adv. Smt. P. P. Honrao for accused
No.2**

Adopt the cross-examination of accused No.1.

No-re-examination

R.O.A.C.

Date : 11/08/2026
Place : Ahmednagar

(M. S. Bhadane)
Additional Sessions Judge,
Ahmednagar.

--- CERTIFICATE ---

The evidence of the witness has been recorded through Video Conferencing (V.C.). During his deposition, the audio, video and document reader were uninterrupted.

Date : 11/08/2026
Place : Ahmednagar

(M. S. Bhadane)
Additional Sessions Judge,
Ahmednagar.