

**IN THE COURT OF THE PRL. DISTRICT &
SESSIONS JUDGE, BANGALORE RURAL
DISTRICT, BANGALORE.**

S.C. NO. 109/16

C.W. EXAMINED AS PW.

Witness duly sworn on 09.12.2019

Deposition of	Ranjith Debnath
Father's Name	Late Govindachand Debnath
Age	40 Years
Occupation	Working in a cloth shop
Residence	Badasa, West Bengal

Examination-in-chief by P.P.:

1. I am acquainted with the accused.

2. I have seen him about four and half years earlier when I was doing the job of the security personnel and Mahaveer Kings Palace Apartments, Kadugodi at Whitefield.

3. I am acquainted with C.W. 1, P.W. 1 and C.W. 3 and C.W.6 and 7.

4. Along with me one Jayanth Debnath and Babu were also security personnel.
5. Mahaveer Kings Palace Apartment had five floors and it is installed with Close Circuit Tv Camera for surveillance.
6. I am acquainted with one Kusuma Rani who was occupying flat No. 507 at fourth floor. C.W. 1 Nidhi Sharma was also residing with Kusuma Rani.
7. About four years earlier at 10.30 a.m. accused had come near our apartment and wanted to gain an entry into the flat of Kusuma Rani but we had been instructed by Kusuma Rani that nobody should enter her flat without her permission over telephone. So we did not allow the accused. We telephoned to Kusuma Rani and told that accused had come to meet her.

Kusuma Rani came down near the security and then accused and Kusuma Rani went inside the flat. Anybody who visit the flat had to sign the register and as such accused also signed the register before he went along with Kusuma Rani. Now the visitor register is confronted to the witness. In the book witness identifies an entry dated 19.01.2016 wherein the name of the accused is found and also his signature and mobile number vide Ex.P. 5(a). Witness says that the handwriting in Ex.P. 5(a) is that of the accused. Ex.P. 5 book was maintained by the security personnel in the apartment and the police had seized the same.

8. In the evening around 07.00 to 07.30 p.m. Nidhi Sharma companion of Kusuma Rani came and informed that the main door of the flat is opened and therefore wanted us to escort her to the flat. Myself, Ganesh

Devanath, Anup Singh accompanied Nidhi Sharma to the flat no. 507 at fourth floor. When we entered inside the house, we saw blood stains and foot prints. We saw Kusuma Rani upside down lying on the floor. She was dead. We informed to the police. Police came and conducted a mahazar, took complaint from Nidhi Sharma, took the dead body along with them and also the blood stains found on the floor. They wanted me to sign the mahazars as witness. I have signed. Mahazars are Ex.P. 1 and 2 and signature of witness is marked as Ex.P. 1(b) and 2(b).

9. We did not observe accused going out from main gate after he had accompanied Kusuma Rani to the flat. He must have gone out from the back gate.

Cross-examination by Sri.N.S, Adv. for

Accused:

10. I have been deputed as a security personnel through the agency called pioneer group. My working hours were from 08.00 a.m. till 08.00 p.m. I used to sign attendance in the visitors book itself.
11. Mahaveer Kings Palace Apartment has got two gates, ie., one on the front gate and one from the back gate.
12. It is true that the security personnel on front and back gates are different.
13. It is false to suggest that the persons who make ingress and egress are not made known to us.
14. Security post is about 5 ft. away from the main gate.
15. C.C.Tv is installed at the main gate also.

16. About 30-40 people would come to apartment on a daily basis.
17. It is false to suggest that it is not possible to say as to who would visit the apartment and for what purpose and which flat. The details would be entered in the visitor's book.
18. I do not remember the day, date, month or the year of the accused visiting Kusuma Rani.
19. After we telephoned to Kusuma Rani within the span of 10 minutes she came to security post.
20. When we entered the flat along with Nidhi Sharma in the evening, we pushed the door inside and put on the light.

21. It is false to suggest that accused did not visit Mahaveer Kings Palace Apartment on the date of the incident as is deposed by me and I am deposing falsely as tutored by the police.

Re-examination: Nil

[The deposition of the witness is typed to my dictation in the open court]

R.O.I. & A. C.

(V. SRISHANANDA)
Prl. Dist. & Sessions Judge
Bangalore Rural District,
Bangalore.