

IN THE COURT OF II ADDL. DISTRICT AND SESSIONS
(SPECIAL) JUDGE MANGALURU, D.K.

Sessions Case: 80/2014

PW: 21 (CW: 20)

Witness present and Duly Sworn on: 20.11.2025

Deposition of	:	Kailashchandh
Father/Husband Name	:	Shanthi Prakash
Age	:	66 years
Occupation	:	Goldsmith (purchase of Gold and Silver.)
Resident Of	:	Laxman Mandir, Bharathpur, Rajasthan.

Witness present through V.C. from Bharathpur Court, Rajasthan. On enquiry, it is revealed Naveen Obrai, clerck, Bharathpur District Court is the Co-ordinator. From here Bench Clerk is the Co-ordinator. From the witness side it is confirmed, the audio and video are clearly audible and visible to him before recording the evidence.

Examination in Chief by Public Prosecutor :-

1. I know CW.21-Manish and CW.22-Hari Om.

2. In 2014, I was running Babulal Shanthi Prakash Gold shop at Bharathpur, Rajasthan. I was taking gold for purchase and pledge.

3. In the year 2014, I do not remember date, the police from Mangaluru, Karnataka brought one person and told they came for recovery of gold as the said person had told them he sold gold to me. I showed the police two hand bangles and told the police that one person had come to me and sold said hand bangles (14gm pure gold and 6gm wastage) for total sum of Rs.34,000/- for marriage of his sister. While purchasing gold, I have made a calculation of gold and consideration and kept the said document with me. The police prepared document, seized said hand bangles and took my signature on the document. I now see Mahazar, it bears my signature. The same are marked as Ex.P35 and 35(a). I handed over copy of said calculation to the police. I now see said document, the same is marked as Ex.P36. When the mahazar was conducted CW.21-Manish and Hari Om CW.22 were also present. The police brought the said person after 15-16 days of purchase of gold hand bangles.

4. I can identify hand bangles if they are shown to me. Ex.P5-Photograph is shown to witness. He identifies gold hand bangles and states the very same hand bangles were seized on that day. I do not know the name of the person whom the police brought to our shop.

5. I did not come to know from the police the aforesaid hand bangles were how came in possession of the said person.

Neither police nor the said person paid Rs.34,000/- to me after seizure of bangles.

6. I cannot identify the person who sold gold and to whom the police brought as it was 11 years ago.

(at this stage, at the request of Public Prosecutor this witness has been treated as partly hostile and permission is accorded for cross examination)

Cross-examination by Public Prosecutor:-

7. It is true the date on which the police came along with a person on 24.04.2014. It is true the said person sold gold article to me was on 08.04.2014.

8. It is true from the police I came to know the person who sold gold to me and the person who was brought to our shop was one and the same and his name as Bahaddur Singh (Split-up Accused No.2). It is true from the police I came to know the said person and others robbed gold from a woman by killing her in Mangaluru.

Cross-examination by Sri. KPAS Advocate for accused No.3:-

9. Our jurisdictional police station in Kothwala. Jurisdictional Magistrate court is Laxman Mandir. Our

jurisdictional police also came along with Mangaluru police on that day. I do not know the name of our police. I do not know if search warrant was brought on that day.

10. The police have not collected from me, Trade License, VAT certificate and building ownership details. My shop name is Babulal Shanthi Prakash. I am the owner of shop. I do not have license for purchase of gold, to pledge gold and to finance loan for gold. After purchase of gold, I sell the gold as it is without converting into ingot. In Rajasthan there is no license to carryout aforesaid business.

11. We adopt procedure by rubbing gold articles on a stone and identify purity of gold. By seeing gold article, I can assess the value.

12. It is false to suggest that the police did not bring any person to our shop, the said person did not tell he sold gold to me, I did not handover two gold hand bangles to the police. It is false to suggest that I am deposing false.

13. I do not know Kannada. I do not know contents of mahazar as it is in Kannada. I have given statement. The police translated and explained statement. I do not know the name of person who translated statement. I have signed on the written paper and not on blank paper. Mangaluru police

wrote. Now I do not remember how many papers my signature was taken. Now I do not remember number of written pages.

Cross-examination by Sri. RKA Advocate for accused No.1:-

Adopts aforesaid cross-examination.

Re-examination: Nil.

(Computerized to my dictation in the open court)

ROI & AC

II Addl District and Sessions Judge,
Mangaluru, D.K.