

Deposition of Witness No. 05 for the State.

I do hereby on solemn affirmation/ oath states that :-

My name is :- Dr. B. P. Gutte.

Age :- 54 yrs., Occupation :- M.O.

Residence :- PHC Ashti.

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**Chief-examination on behalf of prosecution by Ld. APP  
Shri. V.S. Gavhale-**

1. I have done my M.B.B.S. and D.L.O. in the year 1996. Since 24/12/1997, I am working as a medical officer. In August 2017, I was working at Ashti Rural Hospital.

2. On 20.08.2017, I was present in the hospital. On that day at around 06:40 p.m. injured/ informant Manisha Mhaske had came to me along with police memo. Original police memo and carban copy of memo on record is true and same thus Memo is given **Exh. 62**. Patient stated history of assault at afternoon on same day. She had black mole on left hand. I examined her and found following injuries.

i. CLW on right nose-ala with right chick - size 5 x 1 cm. Injury was within 24 hours, caused by hard and blunt object. Nature of injury was reserved. Patient then referred to civil hospital A. Nagar for X-ray and further treatment.

3. I have brought original register with me. All injuries which are mention in MLC No. 594 are as per original MLC register. The medico legal certificate is now shown to me. It bears my signature. The contents of it are true and I recorded

it after psychically verifying the injured. The said M.L.C. is given **Ex. 63/ PW5**.

**4.** If X-ray shown to me and I can state my opinion. witness as shown X-ray filed by witness at Exh. 54. I am not able to state opinion as quality of X-rays is not readable. Injury mentioned in MLC Exh. 63 are possible if person hit by weapon **M.O. 1** round stone/ *Warvanta*.

**Examination-In-Chief over**

**Cross-examination on behalf of accused by Adv. Shri. B.V. Dani**

**5.** Since 2002 I am residing at Ashti. I have private hospital at Ashti and I also practice there. It is not true to say that, due to that, I know many person of the Ashti. I am ENT expert. It is true to say that, I am not expert in surgery. It is true to say that, No serial number written on MLC Exh. 63. It is true to say that, No outward number of hospital written on MLC. It is true to say that, police Memo has not been given in the name of Ashti Hospital.

**6.** I can not state exactly when injury might have caused before my examination. It is not true to say that, I have not stated history of assault in MLC. It is true to say that, No exact time of assault written on MLC. It is not true to say that, such injury can be caused by sharp weapon. It is true to say that, If person falls on the road such injury can be caused. It is true to say that, No documents from civil hospital A.Nagar received by me. It is true to say that, exact opinion about injury is not given in MLC. It is true to say that, I am not X-ray specialist. It is not true to say that, I can

not give opinion on X-ray. It is true to say that, nothing about X-ray written on MLC.

**7.** It is not true to say that, injury can not be caused by Muddemal weapon **M.O. 1.** Weapon shown to witness. It is true to say that, M.O. 1 stone is heavy. It is not true to say that, death can be caused by said weapon. It is true to say that, if force not applied using said weapon, alleged injury is not possible. It is not true to say that, due to personal relation with relative of injured I have given false MLC. It is not true to say that, I have not examined patient. It is not true to say that, I have given false MLC and I have deposed falsly.

**Cross-examination over.**  
**Re-examination – Nil.**

R. O. & A.C. & Before me,

Date :- 12/03/2026

**(M.R. Badakh),**  
**Judicial Magistrate, F.C. Ashti.**

### **Certificate**

Deposition taken before me & signed by me in the presence of the accused persons. To whom the deposition was explained and opportunity was given to cross-examine.

Date :- 12/03/2026

**(M.R. Badakh),**  
**Judicial Magistrate, F.C. Ashti.**