

Sessions Case No. 149/2023
State V/s. Pooja & Ors
Exh.89, PW (10)

Deposition of Witness No. 10 for the State.

I do hereby on solemn affirmation state that

My Name is : Vikas Bhausahab Katale

Age :- 37 years, Occupation :- Service

R/o. Latur.

Examination-in-chief by Ld. DGP Shri. S. V. Deshpande for State.

01. On 19/07/2023, I was instructed by my senior to go to Gategaon Police Station for official work. One Qureshi, who is my colleague, was with me. Accordingly, we went to the police station. From Gategaon Police Station, we panchas and police went to the spot i.e. below railway bridge of Dhakni. One person by name Ghute was present there. That person by name Ghute disclosed the incidence to us. As per the information of Ghute, we saw that spot. On the spot one broken spectacle was found. The police collected the blood from the spot with the help of cotton swabs. Near the spot, below the tree, one sickle was found. The police took the same. The police prepared panchanama on the spot as per the situation. I signed the panchanama. The panchanama now shown to me is the same. It bears my signature and signature of Qureshi. The contents thereof are true and correct. It is marked at **Exh. 90**. The broken spectacle now shown to me is the same. It is at **Article-A**. The sickle now shown to me is the same. It is at **Article-B**.

02. On 20/07/2023, we again called at Gategaon Police Station. Qureshi was another panch with me. The relative of the deceased had brought some cloths in the police station. He told that those cloths are of deceased Hanmant Kathare. The cloths were white colour pant, saffron colour shirt, banyan and chocolate colour inner-wear. The same were having blood stains. The police seized all the cloths under seizure panchanama. The panchanama now shown to me is the same. It bears my signature and signature of Qureshi. The contents thereof are true and correct. It is marked at **Exh. 91**. I can identify the cloths if shown to me. The cloths now shown to me are the same. They are collectively marked as **Article-C**.

Cross-examination by Adv. Shri. A. G. Tiwari for Accused No.1 & 2 :-

(On last date as the advocate for accused nos. 1 & 2 was not attended the Court though the matter was fixed for recording evidence, this court passed the order below Exh. 1 and discharged his Vakilpatra. Today, the accused nos. 1 & 2 through Adv. Bajaj has filed application and requested the Court to permit the previous Advocate Mr. Shinde to conduct the trial. Though today's date is within the knowledge of learned Advocate for the accused nos. 1 & 2, he remained absent. Adv. for accused nos. 1 & 2 is avoiding to cross examine the witness for the reason best known to him. However, in the interest of justice, one opportunity is given to the learned advocate for accused nos. 1 & 2 to cross examine the witness on next date.)

Cross-examination by Adv. Shri. S. M. Bawage for Accused No. 3

03. I did not receive written order from my senior to go to Gategaon Police Station for work. The distance in between my office

and Gategaon Police Station is about 4 k.m. At 10.30 to 11.00 a.m. I was directed by my senior orally to go to Gategaon Police Station. I went to the police station at about 12.30 p.m. Within 30 to 45 minutes we reached to the spot from police station. On the date of preparation of spot panchanama, there was no rain, however there was mud by the side of the road. It is not true that police showed us the spot of incident. To prepare the spot panchanama, it requires 1½ to 2 hours. After preparation of the spot panchanama we went to our office. I do not remember how many signatures were made by me on the date of preparation of spot panchanama.

04. On 20/07/2023, API Sanap made a phone call to my senior, he directed me to go to the police station, accordingly we went there. On that day, I went to the police station at about 3.30 to 4.00 p.m. I do not remember for how much time, I was in the police station on that day. On that day I might have made two signatures.

05. It is not true that I am deposing false. It is not true that all the panchanams are prepared in the police station. It is not true that I am deposing false that from the spot the police seized one sickle and spectacle. It is not true that I am deposing false that one person by name Ghute was present on the spot.

Cross-examination by Adv. Shri. A. D. Mane for Accused No.4

06. I am serving as lineman at Murud Akola since 2021. I am deputed at village Sakhara as lineman. The distance in between Murud Akola and Sakhara is about to 1 ½ to 2 k.m. I am on 24 hours duty. The distance in between Latur to Murud Akola is about 20 k.m. It is true that it is necessary to reside at Murud Akola. On 19/07/2023 I was at village Sakhara. There might be slight rain in between 18/07/2023 to 19/07/2023 in the vicinity of Murud Akola. It is not true that our office is maintaining movement register.

07. Our senior Mr. Nanrale told me to go to Gategaon Police Station. It is true that the spot of incident is below the bridge and there is slope from two sides. I have not observed whether there is cement road to reach to the spot of incident. There may be plain space near the spot. It is not true that there was slight rain on 19/07/2023 from 10.00 a.m. It is true that the surrounding area of the spot of incident was wet. It is not true that water was stopped on the spot. There was one inch water on the spot. There is wall near the bridge, however, I do not remember whether there were some holes and pipes were fixed there. I do not remember whether rain water was percolated from the said pipes. It is not true that blood was not found on the spot. It is not true that there was no dry soil on the spot. Witness voluntaries that below the mud there was dry soil. It is not true that I signed all the panchanamas in the police station. It is not

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true that I am deposing false about preparation of seizure panchanama of cloths.

Cross Over. No Re.

R.O. & A. C.

Date :- 05/05/2025

(V. V. Patil)
Sessions Judge, Latur.