

Sessions Case No. 149/2023
State V/s. Pooja & Ors
Exh.82, PW (08)

Deposition of Witness No. 08 for the State.

I do hereby on solemn affirmation state that

My Name is : Nilkanth Vishwanath Gund,

Age : 45 years, Occupation: Service,

R/o. Latur.

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

01. Since July-2019 I am serving as a Clerk in Panchayat Samiti, Latur. On 24/07/2023, our BDO had received a letter from Gategaon police to provide two panchas for official work. Accordingly BDO deputed myself and Balaji Sawant to act as panch. We left our office at 12.30 p.m. and reached at Gategaon police station 01.30 p.m. PSI Sanap was present there. Mr. Sanap asked us to sit in his cabin. Accordingly we seated there. PSI Sanap called Rajendra Nitale there. Rajendra Nitale gave a disclosure statement before us that, he is ready to discover the weapon by which he committed the crime. Accordingly, PSI Sanap drafted it and obtained our signature. PSI Sanap also obtained signature of accused Rajendra Nitale on that document. PSI Sanap also obtained thumb impression of Rajendra Nitale. The disclosure panchanama now shown to me is the same. It bears my signature. Signature of Balaji Sawant, Rajendra Nitale and his thumb impression. The disclosure panchanama is marked at **Exh.83**.

02. Thereafter, we two panchas PSI Sanap, Rajendra Nitale one photographer came out of the police station. We sat in a police jeep. The driver of the jeep drove the same as per the direction of Rajendra Nitale. Firstly, he took us to Murud-Akola. From there he took us to Dhakni Phata. From Dhakni Phata he asked the driver to turn the jeep on left side. We reached near one railway bridge. We alighted from the jeep there was one tunnel of railway bridge. The accused Rajendra Nitale showed us the spot of incident. From there we returned back near Dhakni Phata. On the right side of the road there were Nilgiri trees. The accused Rajendra Nitale discovered one iron rod and handle of Tikav. The police measured the length of weapons. The police seized those weapons. The police prepared panchanama there and obtained signature of myself, Balaji Sawant and accused Rajendra Nitale. The seizer panchanama now shown to me, is the same. Its contents are true and correct. It is at **Exh.84**.

03. From there we all returned back to police station. I and another panch seated in the cabin of PSI Sanap. PSI Sanap told us that they received a chit from the pocket of Hanmant Katare. He further told us that, he want to compare the handwriting of Pooja Katare and the handwriting of the chit. PIS Sanap called Pooja Katare there. PSI Sanap asked Pooja Katare to write chit for six time. The police prepared panchnama in this regard and also obtained signature of the panchas. The panchanama now shown to me is same. It bears my signature. It is at **Exh.85**.

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04. I can identify the iron rod and the handle of the Tikav.
I can identify Rajendra Nitale if shown to me.

(As the weapons sent to CA, Nanded are not received back so
cross-examination of this witness is deferred).

R.O. & A. C.

Date :- 16/04/2025

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

I do hereby on solemn affirmation state that

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

05. I can identify iron pipe and wooden rod, if shown to me. Now one iron pipe is shown to me, it is the same, it is marked as **Article-D**. Now wooden rod is shown to me, it is the same, it is marked as **Article-E**.

06. Accused no. 1 gave specimen handwriting on six papers in front of me, which came to be seized in my presence. Now said six papers are shown to me, they are the same, they bear my signature at Sr.No. 1, signature & thumb impression of accused no. 1 and signature of concern police officer and another panch, they are collectively marked as **Exh. 109/PW.8**.

Cross-examination by Shri. N.S. Shinde for the Accused no. 1 & 2

07. I went to the police station on the oral instruction of my superior officer. It is true to say that earlier I was not acquainted with accused no. 1 Pooja, but now I can identify her. I was in the police station on 24/07/2023 since 12.00 noon to 7.00 p.m. I have not made signature on the paper, which was provided to accused no. 1 Pooja while taking her specimen handwriting. I do not remember who typed contents of the said document. It is not true to say that I am deposing false at the instance of police and accused no. 1 Pooja has not given any specimen handwriting in my presence.

Cross-examination by Mr. Bawge Adv. for the Accused 3

08. It is true to say that in our office there is movement register, but I do not know whether concerned staff took entry when I

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left the office to visit police station on 24/07/2023. Police did not seize said movement register. I went to the police station at about 12.00 noon, then I left the police station at about 2.30 p.m. to 3.00 p.m. alongwith police staff for the purpose of recovery panchanama. Before leaving the police station at about 2.30 p.m., police obtained my signature on one paper. It is true to say that police asked me to sign on disclosure statement of accused no. 3 and hence I put my signature on it. It is not true to say that I put my signature on it without reading contents of the same.

09. It is true to say that it was rainy season. It took about one and half hour to reach the concerned spot. It is true to say that alleged recovery of articles was done from the bushes, which are situated in open place, by the side of road. It is not true to say that to help the case of prosecution I have deposed falsely at the instance of police. It is not true to say that no disclosure statement came to be recorded in my presence, there was no recovery at the instance of accused no. 3 and I just put my signature on the documents in the police station.

Cross-examination by Mr. G.P. Katale Adv. for the Accused no. 4

Declined

Cross Over.

No Re.

R.O. & A. C.

Date :- 31/10/2025

(S.J. Bharuka)
Sessions Judge, Latur.