

Deposition of Witness No. 05 for the State.

I do hereby on solemn affirmation state that

My Name is : Ram Gopinath Ghute

Age : 22 years, Occupation: Business

R/o. Ekurga, Tq. & Dist. Latur.

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

01. I run a motor rewinding shop with Sagar Ghute. The incident is of dated 18th July 2023. On that day I and Sagar were in our shop. I received a mobile call from the mobile of Hanmant Katare bearing no. 9860607094. Pooja Katare talked on that mobile with me. She told me that she and Hanmant Katare were coming to their field on motorcycle. She told me that when they came below the bridge, two persons were standing there by parking their motorcycle in horizontal position. She told me that both of them were wore black jacket and covered their face by handkerchief. She told me that those two persons started to beat Hanmant Katare. She told me that they beat Hanmant Katare by iron rod. She told me to come to the bridge. I asked Sagar Ghute to go to see Hanmant Katare. Thereafter, I and my brother Rahul went to the spot in Ertiga Car. At there Datta Katare and Anusaya Katare i.e. my maternal uncle and aunt were present. Hanmant Katare had sustained injury. Datta Katare had taken his head on his lap. The head of Hanmant was tied by handkerchief of Datta Katare. Anusaya Katare was weeping there. Pooja Katare was

standing there. Thereafter I, Rahul and Datta Katare lifted Hanmant Katare in the Ertiga car. Pooja Katare was not ready to sit in the car. At the instance of Datta Katare, Pooja Katare sat in the car. From there we all came to Latur.

02. In the car we asked Pooja Katare what happened. She told us that below the railway bridge, two persons were standing by parking their motorcycle, they were wearing black jacket. We asked description of those two persons, however she did not say anything. We took Hanmant Katare in Sahyadri Hospital, Latur. In Sahyadri Hospital, doctor checked Hanmant Katare. The doctor told us to take Hanmant Katare in Civil Hospital, Latur. In the Civil Hospital doctor checked him and declared dead. On mobile phone I disclosed the entire incident to Murud Police Station. After this police from Gategaon came there. They enquired with Pooja. Lateron, I came to know that accused nos. 1 to 4 killed Hanmant Katare. I further came to know that Pooja Katare and other accused killed Hanmant as Hanmant was taking suspicion on Pooja Katare. Hanmant Katare had sustained injury on head and leg. The accused nos. 1 to 3 are present on V.C. Accused no. 4 is present before the Court.

Cross-examination by Mr. Shinde Adv. for Accused no. 1 & 2 on V.C.

03. I had received mobile call from Hanmant Katare on mobile no. 9579442037. I had disclosed this mobile number to police. Digambar is the son of Hanmant Katare. Pooja Katare was using

mobile by concealing it. On that day, I had not received mobile call from Datta Katare. I had met Datta Katare below the railway bridge. (Adv. Mr. Shinde cross examining the witness in moving car).

04. The field of Hanmant Katare and Datta Katare is on one side. It is true that both of them were using one way to reach to the field. (Witness is complaining that he is unable to hear clearly).

05. I had stated to police that murder of Hanmant Katare was committed. I had stated before police that Datta Katare had tied head of Hanamant Katare by his handkerchief. I cannot assign any reason as to why this portion is not in my statement. Witness voluntaries that Gamja and handkerchief are one and same. Police met me for four times during investigation. My statement was recorded twice. I was with Pooja when she lodged report in the police station. At that time my mobile was with me. It is not true that I am deposing false against accused nos. 1 & 2. It is not true that I am deposing false that I had received a call from Pooja Katare. When I reached on the spot, Pooja Katare, Rahul, Datta, my aunt Anusaya and Hanmant were present.

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

06. The distance in between Ekurga & Borgaon Kale is 11 k.m. Hanmant Katare, Pooja Katare and mother of Hanmant used to reside

at Murud. The distance in between Ekurga and Murud is 20 k.m. Datta Katare used to reside in the field situated in village Ekurga. Hanmant Katare and Pooja Katare used to reside at Murud since last 20 years. Before one year of the incident Datta Katare and Hanamant Katare used to reside separately.

07. Hanmant Katare was having three sisters. Janabai, sister of Hanamant Katare used to reside at Jod Jawala and Vanmala i.e. my mother resides at Ekurga. The family of Hanamat Katare was having seven acres of land. Partition of this seven acres land is not effected. Datta Katare and Hanamant Katare used to cultivate this seven acres of land. I do not know whether Janabai was having dispute with her husband. It is not true that Janabai used to reside with my grandmother. I do not know whether husband of Janabai was insisting her to demand share in the land of Hanmant Katare and Datta Katare.

08. Pooja Katare had filed complaint against Shrimant Gute. I do not know the contents of report lodged by Pooja Katare. I had stated in my statement that Hanamant Katare was assaulted by iron rod. In my statement word 'rod' is not there, but weapon is there. Before the incident, I was not acquainting accused no. 3.

Question : Whether you are saying that accused no. 3 beat Hanamant at the instance of police?

Answer : Yes.

09. It is not true that I am deposing false that Pooja Katare told me that two persons beat Hanmant by iron rod. It is not true that

I am deposing false.

Cross-examination by Mr. Mane Adv. for the Accused no. 4

10. It is true that on the day of incident there was slight rain. It is not true that at the time of incident no work was going on in the field. It is not true that relationship in between Pooja Katare and Hanamant Katare were cordial. Pooja Katare & Hanmant Katare are having two sons and two daughters. The elder daguther of Pooja Katare is about 14 years. Before the incident there was no case in between Hanmant Katare and Pooja Katare. Accused no. 4 is resident of village Jagji, Tq. & Dist. Osmanabad. It is not true that there was no relation in between accused no. 4 and Hanamant Katare and Pooja Katare.

11. When the statement of Pooja was recorded in the Civil Hospital on 18/7/2023, I was present there. It is not true that we all had filed report against Shrimant in the police station. It is not true that I am deposing false that accused nos. 1 to 4 killed Hanamant Katare. It is not true that I am deposing false.

Cross Over.

No Re.

R.O. & A. C.

Date :- 24/03/2025

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