

C.C. No.369/PW/2014

Exh - 09

Deposition of Witness No. 1 for Prosecution.

I on solemn affirmation depose as under :

My Name : Poonam w/o Dilip Singh

Age : 40 years Occupation : Housewife.

R/o. : Pump House, Ghansham Yadav chawl, Andheri (E), Mumbai.

Exam.-in-chief by APP Mr. K. S. Jamdhade for the State:-

1. One Pandey family is my neighborer. One quarrel was taken place between us while playing the children in the year 2013 at the time of Ganapati Festival. My husband goes to office at 8.00 a.m. and comes at 8.00 p.m. Next day, the incident took place in the evening. I have two sons. They were studying at the time of incident. Zapu Pandey, son of my neighbor has come in my house. He abused me in filthy language uttering the words, 'Randi, Chinal, Gand Marati hai' and he started beating me. The wife and sister of Zapu had also come there and they were also abused me. After the incident, I went to the police station and lodged the report with the police station MIDC. The report cum printed FIR now shown to me is the same. The contents are correct. It bears my signature. It is marked **Exh.10**. I know and identify the accused, however, they are not present before the court. I have also shown the spot of incident to the police.

Cross-examination by Learned Counsel Shri. Rajesh Dubey for accused :-

2. True that during the incident I have also abused the accused. At the time of incident, 5 to 6 persons had come to my house. They were not all the family members of the accused. Three to four persons were adjoining residents of that locality. The family members of Zepu (accused) had come there after the incident. True that the family members were used to come my house and my family members also used to go in their house.

3. My husband had come to the house after 2 to 3 hours of the incident. True that thereafter, I and my husband came to the police station through Auto Rickshaw. True that it took me around 5 to 10 minutes to reach the police station. True that my husband talked to the police in respect of incident. No paper work was done which my husband stated to the police. True that I myself did not state the incident to the police. True that my husband was talking with the police and I was sitting outside of the police station. True that as per the direction of my husband, I signed the paper. I did not receive summons from the court but I have received call in that regard. True that I have gone through the documents which I signed as number of years passed for the incident.

4. It is not correct to say that no incident took place as stated by me. It is not correct to say that the accused Zapu did not abuse me in filthy language as stated in the examination in chief and beat me. It is not correct to say that my son had beat the accused with the bat on 03.09.2013 and also lodged false complaint to escape from that criminal action. I had not stated to the police that my husband comes to the house in the evening at 8.00 p.m. True that such thing is not forming part of my report. I had stated to the police that at the time of incident the wife and sister of accused Zapu had come there and they had also abused me. True that the said part is not in my statement. It is not correct to say that I lodged false complaint against the accused without happening of any incident. It is not correct to say that I am deposing false.

Cross-examination is completed

No re-examination.

R.O.A.C.
sd/-
(U. L. Pathak)
Addl. Chief Judicial Magistrate,
22nd Court, Andheri, Mumbai.
Date : 15.07.2026

Before me,
sd/-
(U. L. Pathak)
Addl. Chief Judicial Magistrate,
22nd Court, Andheri, Mumbai.