

C.C. No.2608/PW/2013Exh - 06**Deposition of Witness No. 01 for Prosecution.**

I on solemn affirmation depose as under :

My Name : Jitendra Mahendra Jaiswal

Age : 49 years Occupation : Private Job

R/o. : 6616, Astavinayak C.H.S., Mahakali Road, PMGP Colony,
Andheri(E), Mumbai.

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

1. Incident occurred on 26.06.2013 at building No. R/4, Ashtavinayak C.H.S., Andheri at around 7.30 to 08.00 p.m. I came out from my flat in lift to go to a medical store at around 7.00 p.m. to purchase drink red bull. When I reached the ground floor, wife of Mr.Raghunath Sawant was waiting for the lift. I sat on my bike which was parked near the building and had my drink. Accused, Mr. Raghunath came there armed with a wooden stick and he said that why I called his wife as drunkard and abused her. Accused then assaulted me by bamboo stick, he inflicted blows on my back, palms and legs. I obtained first aid from Dr. Newse's clinic situated in my colony. People from the vicinity called M.I.D.C. police. Police came there and took me to the Police Station. By then my hands were swollen hence police took me to Cooper Hospital. Doctor diagnosed a fracture on my both hands there. Both of my hands were plastered by the doctor. I requested the police to let me go home for rest, police accepted my request. I went home, took rest and on next day I lodged report against the accused. The F.I.R. and printed F.I.R. are now shown to me. They bear my thumb impression as I was unable to mark my signature due to fracture. Its contents are true and correct. F.I.R. is marked as Exh-07 and printed

F.I.R. is marked as **Exh-08**.

2. I can identify the stick by which I was assaulted. A wooden stick is now shown to me. It is the same stick by which accused had assaulted me. The wooden stick is marked as **Article-A**. The accused Raghunath is present before the Court today.

Examination-in-chief is complete

Cross-examination by Learned Counsel Shri. D. V. Mangaonkar for accused:-

3. It is true to say that I am not currently residing at the address stated in my examination-in-chief. It is true to say that the room in which I used to reside at the time of incident was owned by my relative. I am not aware as to whether wife of accused had lodged F.I.R. against me on a day prior to the incident. I am not aware about I have obtained bail in Cr. No.366/2013. It is not true to say that F.I.R. was registered against me on 26.06.2013 on the basis of information given by the wife of accused under sections 354, 506(2) of the I.P.C. It is not true to say that on hearing the cries of Mrs. Sawant on 26.06.2013 people from the vicinity gathered and they assaulted me on account of my misbehaviour. It is not true to say that accused did not assault me as stated by me in my examination-in-chief. It is not true to say that accused was not even present at the time of incident which occurred on 26.06.2013. It is not true to say that Article – 'A' was not seized in my presence. It is not true to say that I filed false case against the accused as a counter blast to the F.I.R. lodged by

the wife of accused. It is not true to say that I have lodged false F.I.R. and today I am deposing false.

cross-examination is complete

No re-examination

Witness is discharged.

R.O.A.C.

Before me,

Sd/-

(Smt. G. D. Nirmale)

Addl. Chief Judicial Magistrate,
22nd Court, Andheri, Mumbai.
Date : 26.06.2025

Sd/-

(Smt. G. D. Nirmale)

Addl. Chief Judicial Magistrate,
22nd Court, Andheri, Mumbai.