

Deposition of witness No.1 for State.

I do hereby state on solemn affirmation that :-

My name : Khandu Ram Sul
Age about : 35 years.
Occupation : Labour
Residence at : Wanegaon, Tq. Tuljapur, Dist. Dharshiv.

Examination-In-Chief by Ld.APP Shri. S.S.Suryawanshi:-

1. I identify accused, he is resident of our village. The alleged incident was taken place prior to 03 years at 08.00 p.m. adjacent to our house in our village. On the day of alleged incident I caused injury by nail and at that time accused was also present on the alleged spot.

2. It did not happen that on 30.08.2023 at 08.00 p.m. accused had been at our house and abusing to my aunt and uttered filthy words. At that time I enquired with accused 'why he uttering filthy word in respect of my aunt' and stated that, 'he is not having quality to become my friend', that time accused started to abusing me and by keeping my collar assaulted me by wooden stick and fist and leg stroke and in the alleged incident I caused bleeding injury to my head. It did not happen that, when my mother tried to rescue me and to pacify the alleged quarrel, at that time accused pulled my mother assaulted to me by stone. It did not happen that, thereafter accused proceed towards his house and by bringing knife and iron axe assaulted on my head by iron axe. It did not happen that after the assault by iron axe through accused on my head I fallen down on the land thereafter accused assaulted by knife on my stomach and due to that, I caused serious bleeding injury.

Learned APP submitted witness is not supporting the prosecution case and hence may be declared hostile.

Witness declared hostile.

Cross-examination by Ld. A.P.P. Shri. S.S.Suryawanshi for the State:-

3. It is true to say that, due to causing injuries, I was admitted at Civil Hospital, at that time, police recorded my statement as per my say. On the said statement/complaint bears my signature. It is not true to say that, after recording my statement/complaint contents of it are read over and understanding to me and then I signed on it. My signature of the said complaint is hereby marked **Exh. P-1/P.W.1.**

4. It is not true to say that, I disclose police whatever incident happened with me by accused. Today I am not remembering whether prior to recording my complaint medical officer examined me. It is true to say that, in the alleged incident I caused whatever injuries to my head and stomach in respect of that, I taken treatment at Civil hospital, Tuljapur and Osmanabad. I delivered my cloths on which having blood stain that was wearing on the day of alleged incident.

5. It is true to say that, my statement under section 164 of Cr.P.C. is recorded before JMFC court, Tuljapur. On statement of me under section 164 of Cr.P.C. bears my signature. My statement under section 164 of Cr.P.C. is recorded as per my say. It contents are correct. It bears my signature. It is at **Exh. P-3/P.W.1.** It is not true to say that, between me and accused out of court there is compromise taken place. It is not true to say that, accused is a resident of my village and due to compromise, I depose falsely only with intention to

save the accused.

Cross-examination by Ld. Adv Shri. P.R. Mane for the accused:-

6. It is true to say that, adjacent to my house lying big stones. It is true to say that, my house installed by way of tin. It is true to say that, in my house not having facility of electricity. It is true to say that, I caused whatever injuries to my head are caused due to fallen down on stone in darkness. It is true to say that, after causing injury, I immediately brought at hospital. It is true to say that, I do not know anything about the contents of my complaint, I only put up my signature on said complaint as per the say of police. I cannot depose exact date when I was called at JMFC court Tuljapur for giving statement under section 164 of Cr.P.C. It is true to say that, I gave my statement under section 164 of Cr.P.C. as per the say of police. It is not true to say that, I depose whatever in my cross-examination conducted by Ld. APP is stated false.

Cross-examination completed.

No re-examination.

R.O.A.C.

Dt.12.09.2025

(S.G.Thube)
Addl. Sessions Judge, Osmanabad.

Session Case No.36/2024
State Vs. Sadhu
Exh.No.17

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