

Deposition of witness No.5 for State.

I do hereby state on solemn affirmation that :-

My name : Kondabai Ram Sul
Age about : 56 years.
Occupation : Anganwadi teacher.
Residence at : Wanegaon, Tq. Tuljapur, Dist. Dharshiv.

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

1. Khandu Sul/injured of this crime is my son. The alleged incident was taken place on 30.08.2023 at about 08.00 p.m. At the time of alleged incident, I and my son Khandu were present at our house. On the day of alleged incident, accused had been at our house at relevant time. Accused at the relevant time speaking in respect of my sister Jayashri at that time, my son stated to accused not speaking anything in respect of my sister Jayashri. Thereafter between accused and my son Khandu there was quarrel going-on. At that time accused assaulted to my son through wooden stick. I snatched said wooden stick from the hand of accused. Accused assaulted by which wooden stick on the head of my son, due to that, he caused bleeding injury on head. Thereafter, accused assaulted my son Khandu through stone on his head. Then I directed to accused to proceed towards his house, hence, he proceed towards his house.

2. Again accused by keeping iron axe and one another weapon known as *Jamiya* came towards our house and assaulted by iron axe on the head of my son Khandu. Accused assaulted to my son by weapon known as *Jamiya* on his stomach. Then police patil of our village Ashish Giri, Maruti Devkar, Vaijinath Bachate and other had been on the alleged spot of incident and settled the alleged quarrel.

Thereafter, police arrived on the alleged spot of incident as per our say, then from village Salgara police called one jeep and through that jeep my son Khandu brought at Rural hospital, Tuljapur for medical treatment. From rural hospital, Tuljapur after operating stitches to the injury of stomach of my son, he referred at Civil Hospital, Dharashiv due to his critical condition for medical treatment. At civil hospital, Dharashiv my son Khandu was taking medical treatment for the period of 5-6 days. In respect of alleged incident, police recorded my statement as per my say.

3. Before JMFC court Tuljapur recorded my statement under section 164 of Cr.P.C. as per my say. The said statement is in the file of the court. It bears my signature. Its contents are correct. It is hereby marked **Exh.P-12/P.W.5**. Today accused is present before the court, I identify him. I can identify wooden stick, iron axe and weapon known *Jamiya* if shown to me. (Muddemal is not deposited by concern police station before this court.)

Chief-examination completed.

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

4. It is true to say that, accused is the resident of my village and residing adjacent to my house, hence, I identify him. It is true to say that, accused and my son Khandu are/were good friend and having cordial relations between them. It is not true to say that, today I depose whatever in my examination-in-chief is deposed as per the say of Ld. APP after refreshing my memory. In my statement not mentioned the name of weapon known as *Jamiya*. As well as, not mentioned through that weapon assaulted by accused on stomach of my son Khandu. It is true to say that, in my statement, it is not

mentioned that, after the alleged incident we called police on the alleged spot, then police had been there and then police called four-wheeler jeep from village Salgara, thereafter, my son Khandu brought at Rural hospital, Tuljapur for medical treatment. It is true to say that, in my statement it is not mentioned that, at rural hospital, Tuljapur to the injury of stomach of my son Khandu operated stitches and due to his critical health, he referred at civil hospital, Dharashiv is not mentioned in my statement. It is true to say that, in my statement not mentioned that, my son Khandu taken medical treatment 5-6 days at civil hospital, Dharashiv is not mentioned in my statement.

5. In respect of giving statement under section 164 of Cr.P.C. before JMFC court Tuljapur, concern police gave notice to me. It is not true to say that, I given whatever statement under section 164 of Cr.P.C. is given as per the say of police.

6. It is true to say that, in front of my house having stones. It is true to say that, in front of my house not available facility of electricity through electric pole. It is true to say that, at the time of alleged incident in front of my house having darkness. It is not true to say that, my son Khandu is having the habit of drinking liquor. It is not true to say that, whatever injury caused to my son Khandu is caused due to fallen down under influence of liquor in front of our house. It is not true to say that, to stomach of my son Khandu caused whatever injury is caused due to fallen down under the influence of liquor on nail which is in front of my house.

7. It is true to say that, against my son Khandu filed criminal case in respect of torn of flag by him. I do not know whether Raju Maske lodged complaint against my son Khandu in respect of torn of

flag by him. It is not true to say that, against accused lodged this complaint is false complaint. It is not true to say that, I depose whatever in my examination-in-chief is false. It is not true to say that, today I depose false.

Cross-examination completed.

No re-examination.

R.O.A.C.

Dt.10.12.2025

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

