

Cross-examination on oath by Ld.Adv.Y. D. Khaire for accused No.1 :

20. I do not remember whether CCTV installed in Kaka Ka Dhaba. Spot of incident is of Solapur - Sambhaji Nagar highway. It is not true that, this highway is of heavy traffic.

21. Police reached on spot after me. When I reached to spot along with others person known to me, Shrikant Jadhav, Niwas Narwade, Rameshwar Karande were present. But, I did not receive call them before I reached on the spot. It is true that, I reached on the spot after incident, therefore, I did not witness incident I did not know how occur. Spot panchanama was conducted in my presence. I have not read it contents. I do not remember that, assault was done by unknown person is written in panchanama. I do not remember, whether I made complaint with police against accused No.1 - Rameshwar. It is true that, at the time of conducting the spot panchanama, I have stated to the police that, motorcycle, handkerchief, power bank and tiffin lying on the spot was of accused No.1.

22. I do not remember that, at the time of lodging report Exh.P1 (PW-1) I have stated to the police that, handkerchief, power bank and tiffin lying on the spot was of accused No.1. It is true that, I came to Tuljapur hospital with dead body for postmortem of dead body of deceased. It is not true that, report was lodged by me, after completion of postmortem and taking dead body of deceased in custody.

23. I do not remember the date of meeting for compromise relating to Jyoti. I was not present there. It is not true that, accused

No.1 Rameshwar has executed sale deed of the plot in favour of Jyoti for consideration of Rs.2,90,000/-. I met with accused Rameshwar on the sale deed, I do not remember the date of sale deed. I was not witness to the sale deed. It is not true that, there were financial transaction between me and Rameshwar before death of my brother. It is not true that ,accused Rameshwar has transferred amount from his account to my account. My brother Vishal is employed in District Court. It is true that, report was lodged after I met with Vishal.

24. I received information at first of the incident from Amit Balaji Kadam, resident of our village. It is not true that, Amit was acquainted with the accused Rameshwer, he being my cousin brother. Statement of Amit was not recorded by the police. When lodging report Exh.P1, I have stated that, deceased was assaulted with Koyta (sickle). During my examination-in-chief on 27.01.2025, MO-1 (sickle / Koyta) was shown to me. It is not true that, MO -1 was not Koyta, it was Katti. Witnesses volunteers that, Koyta and Katti is one and the same. We used word Koyta and Katti for similar weapon. I do not know, whether Koyta is used for sugarcane cutting and Katti is used for cutting branches of tree. It is true that, when, weapon of offence MO-1 shown to me in the court hall, it had no blood stains. It is not true that, the property of crime shown to me, during examination-in-chief was taken out from unsealed envelopes.

25. It is true that, on the day of incidence, I did not receive phone call from Rameshwar Kharade. It is true that, in this crime, Investigating Officer has recorded statements of witnesses most of

them are my relatives.

26. It is not true that, prior to lodging report, my relations with accused No.1 Rameshwar were strained due to financial transaction. It is not true that, I lodged report after discussion with police. It is not true that, I handed over motorcycle, handkerchief, power bank and tiffin to police. It is not true that, unknown person has made deadly assault with weapon on my deceased brother, therefore, he died. Police has not recorded my statement other than report. I do not remember, whether the seizure of clothes of accused was conducted in my presence.

27. It is not true that, as I had not been to the spot of incident, I do not know about injuries inflicted on body of my brother. I can say there was injuries on rib and other injuries I cannot state.

28. It is true that, the phone call made by Rameshwar Kharade to accused No.1 Rameshwar from the spot of incident and the conversation narrated in my examination-in-chief para No.17 is not mentioned in report lodged by me. witness volunteers that, at the time of lodging report police state that, it will be noted in the statement of Rameshwar Kharade and there is not need to mention in report.

29. I do not remember, whether I was stated before the police at the time of lodging report that, tiffin found on spot was a gift to Deepali from Dilip Apparao Mane.

30. I do not know, till date there is no decree of divorce obtained by Jyoti. She still resides in her matrimonial house.

31. It is not true that, I deposed false in examination-in-chief that, illicit relations with accused No.1 Rameshwar and that, he was compelled to transfer to get right, title and interest in a plot in favour of Jyoti, that my deceased brother Rameshwar had participated in the compromise talks. Therefore, accused Rameshwar had assaulted my brother and killed him. It is not true that, I deposed false in examination-in-chief that, after receipt of the knowledge of incidence, I had been to spot and had seen deceased in injured condition and articles lying on the spot, motorcycle, handkerchief, tiffin and power bank. It is not true that, I never seen any CCTV footage and no seizure of clothes in my presence. It is not true that, I lodged false report against accused as our relations were strains due to financial transactions.

Cross-examination by Ld. Adv. Fatak for accused No. 2 to 4 :

As per order below Exh.60, cross-examination is adjourned till next date.

R.O.&A.C.

sd/-

(Smt.T.G. Mitkari)

Additional Session Judge,
Osmanabad

Date : 13.06.2025