

Deposition of witness no.2 for State :-

I do hereby state on solemn affirmation that :-

My name : Sanjay Dattatraya Bagal
Age about : 52 years
Occupation : Police Patil
Residence : Sangavi Mardi
Tq. : Tuljapur
Dist. : Osmanabad (Dharashiv)

Examination-in-Chief by Ld. Spl.P.P. Mr. P.K. Jadhav for State :-

1. On 09.06.2022, I was present in the village. On that day, I received phone call of police at about 06.30 p.m. They called me at National Highway No.52, at Sindafal Shivar. I reached there. One person was lying having injuries with Katti. Police stated me to act as a panch witness. As a panch, police had called one another person from ST. department name Kadam. We were ready to act as panch witnesses. Police personnel and Bhairu Karande were present there.
2. Police prepared spot panchanama in presence of we panchas. I came to know when I reached there, that the person died on the spot was Dnyaneshwar Karande. Bhairu Karande has stated that Dnyaneshwar is his brother.
3. National Highway No.52 is Samabhajinagar to Solapur two lane road. Spot of incident was situated at Sindafal Shiwar. Where the dead person lying behind it at 500 meters there was Kaka Dhaba and on front side at 600 meters there was S.K. Dhaba.
4. I can state the four boundaries of the place where, dead body was lying. Towards its East : there was open space of RIB Road and thereafter, field of Dindore; Towards its West : there is

divider; Towards South and North : National High Way No.52.

5. Police prepared panchanama of the spot as per the prevailing circumstances. Two, two wheelers vehicles were lying on the spot. Out of it, one was Activa and another was Discover. I came to know that the vehicle Activa MH-13/CP-7609 was of the deceased and the vehicle Discover MH-25/..0545 was of the accused. One tiffin of three folds was lying there. It was empty. One Head Phone of black colour, Power Bank and pair of chappal, one wooden handle of one sickle (कोयता/कत्ती) were lying there. One sickle was stuck in to ribs of deceased. Except these articles lying on the spot, I do not recollect about other articles.

6. In our presence, police collected the blood of deceased lying on the spot on cotton ball and handed it over to other police.

7. Police prepared spot panchanama as per prevailing circumstances of the spot of incident in our presence. It was started at 06.50 p.m., and continued approximately for two hours, till 09.50 p.m. I read its contents, it was true and correct, therefore, I signed it. The other panch Shri Kadam also signed on panchanama in my presence. Now, the panchanama shown to me is the same, it bears my signature and signature of Kadam, as he signed before me, on each page of the panchanama. It is marked at **Exh.P2-62**.

8. Now, articles out of GMR No.13/2024, now shown to me.

9. Now, **MO No.10 three fold tiffin** shown to me. I identify it. It was lying on the spot. I do not recollect whether there was any identification mark, name scribed on the tiffin. It was kept in one envelop, the label affixed over it bears my signature and

signature of other panch. I identified it. The label is marked at **Exh. No.63.**

10. Now, **MO No.9 black coloured Head Phone** shown to me. I identify it. It was lying on the spot. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.64.**

11. Now, **MO No.8 pair of chappal** shown to me. I identify it. It was lying on the spot. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.65.**

12. Now, **MO No.6 Power Bank** shown to me. I identify it. It was lying on the spot. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.66.**

13. Now, **MO No.2 wooden handle of sickle** shown to me. I identify it. It was lying on the spot. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.67.**

14. Now, one label shown to me, which was attached with the polythene bag in which the cotton balls used for collecting blood samples of the deceased from the spot were kept. This label contains signature of panch witness, which I identify. It is marked at **Exh.68.** (The cotton balls are not available in the property, however, the tag of Forensic Lab is available.) This polythene bag containing blood stained cotton ball was again kept in one envelop the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.69.**

15. I can identify my photo in any other photo if shown to me. Four photographs attached with spot panchanama now shown to me. I am standing in the photographs, beside me other panch Kadam, Police Kashid, Ladies constables can be seen, Dead Body in the pool of blood, sickle stuck in to its ribs, lying on the spot is visible in the photographs. While colour Aactiva vehicle is visible in the photographs. (*Learned advocate for accused did not object for marking article number to photographs.*) Therefore, **Article No.1 to 4** marked to the photographs.

16. I can identify the two wheeler vehicles lying on the spot if shown to me. (*Out of these two vehicles, as per submission of Ld APP and advocate for accused, one vehicle Aactiva was released on bond by police to its owner and other vehicle Discover was lying in the Police Station, which will shown to the witness through V.C., as it was lying in the Police Station.*) (Now, vehicle No. MH-25/Z-0545 lying in the police station shown to the witness through Video Conference.) I identify the vehicle on the basis of its registration number. It was lying on the spot. It is already marked at M.O.No.13.

17. After completion of spot panchanama, police shifted dead body of the deceased to Sub-Divisional, Rural Govt. Hospital at Tuljapur in mortuary. Myself and other panch Shri Kadam went to hospital. Police stated us to act as panch witnesses for Inquest Panchanama of the dead body. Dead body of Dnyaneshwar Karande was there. It was identified by his brother Vishal Karande. The clothes on dead body were torn and taken out. We inspected dead body, on left side of the dead body there were

wounds of injuries. The sickle was stuck in to ribs on left side of the dead body. The Inquest Panchanama of dead body was prepared before us, now shown to me is the same, it bears my signature and signature of Kadam, as he signed before me, on each page of the panchanama. It is marked at **Exh.70**.

18. On 10.06.2022, at 00.10 Hrs., to 00.55 police seized clothes taken out from the dead body of the deceased, it includes one blood stained baniyan, one blood stained ash gray coloured pant and one full sleeve white coloured shirt and the sickle, which was taken out by the Doctor from the dead body of the deceased. The seizure panchanama conducted by the police in our presence, now shown to me, bears my signature and signature of other panch kadam, i identify it. Its contents are true and correct. It is marked at **Exh.71**. I can identify these articles if shown to me.

19. Now, **MO No.1 sickle** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.72**.

20. Now, **MO No.3 one blood stained full sleeve white coloured shirt** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.73**.

21. Now, **MO No.4 baniyan stained with blood** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.74**.

22. Now, **MO No.5 pant stained with blood** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.75**.

23. On 10.06.2022 at about 01.00 p.m., police called us in the Police Station to act as panch witness for effecting seizure panchanama of the clothes of accused. That time, accused Rameshwar Khochare was present in the police station. Police handed other set of clothes to accused and accused taken out the clothes on his person. Police seized shirt and pant of the accused Rameshwar in our presence and it was sealed with label of our signatures. Accused also produced his mobile hand set in our presence to the police, it was seized and sealed by the police. Police effected panchanama in our presence and obtained our signatures. Now, panchanama shown to me is the same, it bears my signature and signature of other panch Shri Kadam, on each page. Its contents are true and correct. It is marked at **Exh.76**. I can identify those articles if shown to me.

24. Now, **MO No.11 seized shirt of accused** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.77**.

25. Now, **MO No.12 seized pant of accused** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.78**.

26. Now, **MO No.14 seized mobile of accused** shown to me. I identify it. It was kept in one envelop, the label affixed over it bears my signature and signature of other panch. I identified it. The label is marked at **Exh. No.79**.

27. I can identify the accused from whom seizure of clothes and mobile was effected. I identify the accused Rameshwar present before the Court, whom I seen earlier in the Police Station.

Examination in chief completed.

Cross-examination deferred as Court time is over.

R.O.&A.C.

Date : 27.06.2025

(Smt.T.G. Mitkari)
Additional Sessions Judge
Osmanabad

Resumed on oath Dt.

Cross-examination by Ld. Adv. Y.D. Khaire for accused no.1 :

Cross-examination by Ld. Adv. A.K. Fatak for accused no.2 to 4 :