

Deposition of witness no.3 for State :-

I do hereby state on solemn affirmation that :-

My name : Sharad Laxman Kharade
Age about : 44 years
Occupation : Retired Military man and Agriculturists
Residence : Masla Khurd
Tq. : Tuljapur
Dist. : Osmanabad (Dharashiv)

Examination-in-Chief by Ld. DGP Mr. M.B.Deshmukh for State :-

1. I know accused no.1 Rameshwar. So also, I know accused no.2 Anusaya @ Anita, No.3 Parmeshwar and No.4 Sambhaji. Accused no.1 to 4 are present in the Court.

2. Incident occurred on 09.06.2022. On that day, I had been to Tuljapur relating to my bank work at about 12.30 to 01.00 p.m. After completion of bank work, I started for Masala Khurda at 05.30 p.m., from Tuljapur on my motorcycle.

3. On my way at Sindhafal Shivar, National Highway No.52, Solapur - Tuljapur road, in front of '*Kaka Ka Dhaba*', I saw that, one person lying near white scooty was assaulted (सपासप) by another person with sickle (कोयता/कत्ती). The person who was assaulting has seen me, thereupon, he left the sickle in the body of person lying there and he started to run towards Solapur. That time, I saw him, he was Rameshwar Khochare, he is maternal cousin brother of Dnyaneshwar Karande, resident of our village. I parked my motorcycle on road side. I went down and saw the person lying. He was Dnyaneshwar Karande, resident of our village. He was lying in pool of blood. He had injuries on neck,

chest and on ribs.

4. I asked Dnyaneshwar what had happened, he did not reply. At that place, I seen one Bajaj black colored Discover motorcycle. One tiffin box was lying there. I was shouting to the passers by to call Ambulance. Sanjay Bangar, Police Patil of Sangavi Mardi came there. After some time, family members of Dnyaneshwar, his brother Bhairunath and Amit Balaji Kadam and others. So also, Police Officers reached there.

5. Dnyaneshwar was taken to Hospital. He was declared dead. The post mortem of his body was conducted at Govt. Hospital at Tuljapur. Police recorded my statement. My statement was also recorded before Magistrate at Tuljapur. Now, the statement recorded before Judicial Magistrate, Tuljapur shown to me bears my signature, its contents are true. It is marked at **Exh.83**.

6. I can identify the sickle (कोयता/कत्ती) if shown to me. Now, articles out of GMR No.13/2024, now shown to me. Now, **MO No.1 sickle (कोयता/कत्ती) and MO No.2 wooden handle of sickle (कोयता/कत्ती)** shown to me. I identify it. I seen it stuck in the body of deceased Dnyaneshwar.

7. Now, **MO No.10 three fold tiffin** shown to me. I identify it. It was lying on the spot.

8. 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 Activa 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 virtual mode.) 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.

9. Today, accused no.1 Rameshwar present along with other accused. Witness by pointing finger identify accused no.1 Rameshwar before Court.

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

10. I served as soldier in military for 19 years. Deceased Dnyaneshwar and his brothers are my relatives (मामे भाऊ). They are sons of cousin brother of my mother.

11. Accused no.1 is maternal cousin brother of deceased Dnyaneshwar. I know deceased, his family and accused no.1 and his family prior to incident.

12. On 09.06.2022, my bank work was with State Bank of India (SBI) regarding amount of pension fund. I met with Bank Manager on that day. I did not produce any documents about it before police.

13. Distance between SBI Branch at Tuljapur and spot of incident is approximately 7 to 8 kilometers. It took near about 12 to 15 minutes to cross this distance on motorcycle. It is true that in month of June, as it is *rain season*, sun sets at early. When I started from Tuljapur, sun was about to set. It is not true that when I reached to the spot, there were drizzling rain. It is not true that Solapur Tuljapur National Highway has heavy traffic on every day.

14. One person assaulted the other, when I saw him, the person who assaulted ran away from the spot, that time, I did not follow him. I did not tried to extend help to the injured on the spot to either wake him up or to sit. I did not make phone call to Bhairavnath and Vishal, neither I made phone call to Police Station to inform about the incident.

15. Police reached on the spot at about 06.15 p.m. I narrated the incident witnessed by me to police. Police did not reduce the incident narrated by me in writing at the spot. Distance of my village from the spot of incident is about four and half kilometer. I did not call anyone from village to inform the incident.

16. I can narrate the description of clothes on person of deceased at place of incident. Police recorded my statement on 27 June, 2022 at Police Station, Tuljapur. After three days of incident, I went to Mumbai. I stayed there for 10-11 days. It is true that after incident, I was present in the village for three days, but I did not make whispers about the incident.

17. It is true that at the time of recording my statement on 27.6.2022, I have not mentioned registration number of vehicle before police. It is not true that today for the first time, I have seen the number of vehicle in the screen, installed in Court Hall.

18. It is true that Ganesh Kumbhar was Police Patil of our village, at the time of incident. I did not meet, Ganesh Kumbhar on the spot of incident on 09.06.2022.

19. Rameshwar Kharade is my cousin brother. Amit Kadam is resident of my village. At the time of recording of my statement, I have not mentioned before police that I met with Amit Kadam on 09.06.2022 at the spot of incident. I met with Bhairavnath at the spot of incident. Spot panchanama was effected in my presence. I did not disclose the incident witnessed by me to police at that time. I know registration number of white scooty.

20. At the time of recording of my statement before police on 27.06.2022, I mentioned the model name of vehicle ("Discover"). It might be due to typing mistake, it is not mentioned in my statement. I read contents of statement recorded in Police Station Tuljaur. I did not ask for correction in it. Its copy was supplied to me. I do not carry it today with me.

21. Sanjay Bagal was present on the spot before police came to the spot. My statement Exh.83 was recorded on 21.07.2022. Prior to recording of my statement, Tuljapur police has informed me about the Court where to present for statement. It is not true that I have gone through the contents of Police statement prior to recording of my statement Exh.83 before Magistrate. It is not true that today before recording of my examination in chief, I read contents of both statement.

22. The weapon of offence, tiffin and the motorcycle were seized in my presence. Now, witness says that seizure panchanamas were not effected in my presence. It is not true that as these seizure panchanamas were not conducted in my presence, I falsely identified weapon of offence, tiffin and motorcycle before Court.

23. When we reached to Police Station after the incident, it was about 09.15 p.m. Vishal and Bhairavnath were present with me, I came to Police Station. I can not state whether earlier to 09.15 p.m., report was lodged with police about the incident. I did not lodge report about the incident witnessed by me.

24. At the time of recording of my statement, I have stated to the police that, I parked my motorcycle on road side. I can not assign any reason as to why it is not so mentioned in my statement.

25. It is not true that I deposed false in my examination in chief that, on my way at Sindhafal Shivar, National Highway No.52, Solapur - Tuljapur road, infront of '*Kaka Ka Dhaba*', I saw that, one person lying near white scooty was assaulted (सपासप) by another person with sickle (कोयता/कत्ती), The person who was assaulting has seen me, thereupon, he left the sickle in the body of person lying there and he started to run towards Solapur, That time, I saw him, he was Rameshwar Khochare, he is maternal cousin brother of Dnyaneshwar Karande, resident of our village, I parked my motorcycle on road side, I went down and saw the person lying, He was Dnyaneshwar Karande, resident of our village, He was lying in pool of blood. He had injuries on neck, chest and on ribs. That, I asked Dnyaneshwar what had happened, he did not reply. At that place, I seen one Bajaj black colored Discover motorcycle. One tiffin box was lying there, I was shouting to the passers by to call Ambulance, Sanjay Bangar, Police Patil of Sangavi Mardi came there, After some time, family members of Dnyaneshwar, his brother Bhairunath and Amit Balaji Kadam and

others. So also, Police Officers reached there.

26. It is not true that I falsely identified M.O.No.1, 2, 10 and 13 before the Court and deposed falsely about it.

27. It is not true that I did not witness the incident mentioned in my examination in chief of dated 09.06.2022, therefore, prior to 27.06.2022, I did not disclose it to others. I know about the nature of report lodged by Bhairavnath. It is not true that to support the Bhairavnath, I deposed falsely in my examination in chief and today gave false evidence.

Cross-examination completed for accused no.1.

R.O.&A.C.

Date : 15.09.2025

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

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

Cross-examination completed.

R.O.&A.C.

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