

Special Case No. 14/2021
Exhibit No. 190/C

DEPOSITION OF WITNESS No. 8 FOR THE PROSECUTION

I do hereby on solemn affirmation state that :-

My name is : Aakash Sarjerao Harname
Age about : 32 Years,
Occupation : Private Service
Residing at : Khanda Colony, Panvel, District-Raigad.

Examination-in-Chief by Ld. Spl. APP Shri. Rushikesh Munde
for prosecution.

01. In August 2020, I was working in a Navkar Corporation as a EDI (Electronic Data Interchange) operator. My duty time was from 9.30am to 6.30p.m. My education qualification is BMS (Bachelor of Management Study). I was attached to Navkar Corporation from 2016 to 2021. On 07/08/2020, I was on my regular duty. On the same day at about 4.30p.m., examiner officer had called me for verifying goods of the container. The said container was a blue colour, having size 40 feet. Accordingly, I went at the place where container was lying. At that time, custom officers, CHA and one person who was for seal cutting were present. Another panch Alok Singh was also present. Today CHA Bodake is present in the Court. Custom officer Gaurav Jain was also present. When I reached there examiner officer had shown me

documents relating to the container. I had signed the said documents. If documents are shown to me, I will identify it. Now, I am shown packing list Exh.P127/PW3 of Liquorice Roots, Plant quarantine certificate Exh.P128/PW3, country of origin certificate Exh.P129/PW3, seal cutting permission Exh.P130/PW3, invoice Exh.P131/PW3 and Shipping bill Exh.P132/PW3. The said documents were shown to me by examiner officer. These documents bear my signature at serial No.1. The seal of the container was intact. Seal cutting permission was given by custom officer Gaurav Jain. After seal cutting, seal was packed in brown colour envelope in presence of two panch witnesses and accused No.1. When container was opened we found orange colour gunny bags. The said gunny bags were removed from the container with the help of labourer. Gunny bags were serially numbered. Gunny bag No.1 was opened. In the said gunny bag Mulethi Liquorice Roots was found. The said Mulethi Liquorice Roots was re-stuffed in the said gunny bag. Same procedure was followed to all gunny bags one by one. In first two gunny bags we found Mulethi Liquorice Roots. In gunny bag No.3 we found Bamboo logs. The said Bamboo logs were separated. The Bamboo logs were cut by cutter. After cutting Bamboo logs, we found creamish colour powder with pungent smell. Four samples of the said creamish colour powder were collected in plastic pouches by custom officers. The said pouches were sealed. The plastic pouches were placed in brown colour envelope and sealed with red colour seal. We panch witnesses had signed on brown envelope. Accused No.1 Bodake and officers had also signed the said envelope.

02. Now, I am shown envelope of broken bottle seal MO No.1, it bears my signature at serial No.1. Now, I am shown three envelopes MO No.2. The said envelopes bear my signature at serial No.1. In the said envelopes samples were kept. Near-about 1000 to 1500 gunny bags were found in container. The collected samples were sent to DYCC Laboratory. On the day of the panchanama report of DYCC Lab was received by custom officers. Contraband Heroin was found in the collected samples. DRI officers also reached when report was received by the custom officers at Navkar Corporation. After receiving test report, seized contraband was placed in approximately 20 black colour plastic bags. The plastic bags were sealed and placed in blue colour drums. In each drum two plastic bags were placed. There were total ten drums. Drums were arranged by examiner. Those drums were covered with red colour clothes. The drums were sealed with paper label. I put my signature on paper label. If paper label shown to me, I will identify the same. Now, I am shown 17 paper labels MO No.3. These paper labels bear my signature at serial No.1. Total contraband was 191Kg to 195 Kg. Panchanama was started on 07/08/2020 at about 5.00pm to 6.00p.m. and completed on 08/08/2020 at about 8.00am to 9.00am. The panchanama was typed by custom officer on laptop. The printout of the said panchanama was taken at Navkar Corporation. After reading panchanama, we both panch witnesses signed it. Now, I am shown the panchanama Exh.P126/PW 3. The contents therein are true and correct. It bears my signature at serial No.1. It also bear signature of second panch Alok Singh, CHA and Gaurav Jain. We panch witnesses signed each

page of the panchanama. After completion of the panchanama, custom officer took seized contraband with them. Rest goods were stuffed in container. Thereafter, container was sealed and kept in the custody of Navkar Corporation.

Examination-in-Chief is over.

Cross-Examination by Ld. Adv. Shri. Anil Lala for accused No.1

03. I have studied BMS in english medium. I can understand english, but I am not fluent in english. I do not know whether another panch Alok Singh is comfortable in english language. At the time of panchanama, custom officers and DRI officers were speaking with me in Hindi language. It is true to say that I am not able to prepare panchanama. The panchanama Exh.P126/PW3 was not dictated by me. The said panchanama was also not dictated by Alok Singh. Custom officer Gaurav Jain dictated the panchanama. Panchanama was dictated for two to three hours. I cannot tell at what time panchanama was dictated. Panchanama was dictated on 07/08/2020. After dictation, print out of panchanama was immediately taken. It is not true to say that print out was taken on 07/08/2020. The copy of panchanama was provided to me on 08/08/2020 for reading. Partly panchanama was typed in office of Navkar Corporation and partly was typed on field. I cannot tell on 07/08/2020 partly panchanama was typed on field. At that time I was busy in another work. Manger Shri. Singh was our superior in Navkar Corporation.

I do not know his full name. I had taken the permission of manger before acting as a panch. I have not informed how much time was required for panchanama to my senior. I cannot say how many signatures were taken. I have put my all signatures in between 7.30a.m to 8.00a.m on 08/08/2020. It is not true to say that I was well acquainted with DRI and custom officers before panchanama. Before panchanama, I was not aware about the required documents for clearance of consignment. I do not know whether CHA provided all container related documents to custom officers. Till conclusion of the panchanama CHA Bodake was with us. It is true to say that Bodake co-operated with custom officers and DRI officers while drawing panchanama. I cannot tell how many signatures of Bodake were taken. During the course of panchanama carpenter of CFS were present for cutting the Bamboo logs. I cannot tell how many carpenters were present. Name of those carpenters and their details are not mentioned in the panchanama. The container was opened at about 4.00p.m. on 07/08/2020. At the time of opening of container, 4 to 5 people were present. Myself never entered into the container. First concealment was detected at about 6.00p.m. It is true to say that all four samples were drawn from the first Bamboo log. Samples were also drawn from remaining Bamboo logs in the evening after the DRI officers came. In the evening only one sample was drawn. Bamboo logs were not numbered. I cannot tell weight of the sample drawn from the Bamboo. I cannot say how much contraband was found in one Bamboo log. I cannot say whether sample was mixed with another substance while drawing

panchanama. Report of laboratory was received at about 11.30 pm on 07/08/2020. Till receipt of the report procedure of panchanama was continued. During the course of typing of panchanama two to three times we came on the field. I cannot tell the exact timing when we came on the field. I was told by custom officer about the purpose of panchanama. It was also told to me that container was containing suspicious Narcotic drugs. When I was called for panchanama Alok Singh was also with me. I know Alok Singh since 2016. It is not true to say that we were friends. It is true to say that Alok Singh is my colleague in Navkar Corporation. Alok Singh was my senior. I do not know who had brought envelopes MO No.2 at the time of panchanama. I do not know when these envelopes were brought. Envelopes are in handwriting of Gaurav Jain. I do not know when writing on envelopes was done. At the time of taking signatures of the panch witnesses on envelopes it was not signed by Gaurav Jain. It is true to say that I had signed on envelopes on 07/08/2020 and Gaurav Jain had signed on said envelopes on 08/08/2020. The said envelopes bear Lac seal of examiner Vishva Bandhu. The Lac seal was affixed in my presence. It is true to say that Vishva Bandhu was present at the time of panchanama. It is true to say that as per envelopes MO No.2 my post was Import Executive. It is true to say that in the panchanama my post is shown as EDI operator. On the said envelopes name of the importer was blank. It is true to say that I never asked to Gaurav Jain as to why the name of the importer was kept blank.

04. Bottle seal was opened on 07/08/2020. I had signed envelope of bottle seal MO No.1 on 08/08/2020. It is true to say that file number DRI/MZU/C/INT-45/2020 appearing on paper label part of MO No.3 was given in my presence. I do not know name of the officer, who had given the file number. It is true to say that last digit of the container number on paper label was in handwriting and remaining preceding numbers were typed.

05. It is not true to say that I am regular panch of custom department. It is not true to say that panchanama was not drawn in my presence. It is not true to say that nothing was seized in my presence. It is not true to say that at the instance of the custom officer I signed panchanama in custom office. It is not true to say that I am deposing false.

Cross-Examination by Ld. Adv. Smt. Dhanshree Bhoir for accused

No.2

06. As per order below Exh.191, further cross-examination is deferred next date.

R.O.A.C.

Panvel.
Dated : 02/03/2026.

(Santosh R. Chavan)
Addl. Sessions Judge, Panvel-Raigad.