

Deposition of Witness No.3 for the Prosecution

I do hereby on solemn affirmation state that,

My Name is : Bhaskar Vishnu Kumbhar,
My Age is : 39 years,
My Occupation : Printing Press
My residence : Pujarwadi, Sangola

Examination-in-chief by A.P.P. Shri. Sarang Wangikar for the State

1 At the time of incident, I was residing with my wife, two children, parents, brother, his wife and two children of my brother at Sangola. Victim is my only daughter. At that time, she was studying in 7th class in Utkarsha Vidyalaya, Sangola. Date of birth of my victim daughter is 11th March, 2009.

2 In the month of April 2021, my victim daughter (witness has disclosed the full name of victim, it is not mentioned to protect the privacy of victim) had been to the place of her maternal aunt Sunita for a month at Kargani, Tal. Aatpadi, Dist. Sangali. My victim daughter during her stay at Kargani, had disclosed to Sunita that accused Indrajeet a son of my sister had shown her obscene videos on mobile and kissed her at village Save, Taluka Sangola. Sunita has informed this fact disclosed to her by my victim daughter to my wife. Therefore, on 24.04.2021, we went to bring my daughter back to home, she was frightened and was not ready to come back home. On 18.05.2021 my father Vishnu Kumbhar went to Kargani and brought back my victim daughter to our house at Sangola.

3 When my victim daughter came back, we had comforted her, gained her confidence made inquiry to her upon it my victim daughter disclosed with us that since the month of January 2020, Indrajeet son of her parental aunt used to show her obscene videos in mobile and kissed her.

4 My victim daughter further disclosed us that in the Month January 2021 when she had been to the house of accused at village Save Tal. Sangola. She had stayed there for two to three days. During that period, they had been to Shet-Tala शेततळा to swim, that time, Indrajeet told her to take out her clothes, on her denial, Indrajeet abused her. On the same day, in the night hours, family members were sleeping that time, Indrajeet had shown obscene videos to my victim daughter, and had committed rape upon her. Accused had done sexual acts of rape upon my victim daughter as shown in the obscene videos in the mobile. This incident of commission of rape, repeated by the accused upon my victim daughter on next day also.

5 On 03.03.2021, Indrajeet came to our house and had told my daughter that he likes her more than his wife. My and my wife had been to Babulgaon on 16.03.2021, Indrajeet came to our house and he committed forcefully rape upon my victim daughter.

6 The above mentioned fact of sexual exploitation of my victim daughter by accused Indrajeet was disclosed by her to us when my father brought her back to our house on 18.05.2021.

7 We called accused Indrajeet after 18.05.2021 and made him answerable about the facts of sexual abuse of my victim daughter at his instance. But, he gave evasive answers. My daughter was 11 years old in

the year 2021. Considering the age of victim daughter and our relations with accused, we had taken two days time to think over, but finally my wife lodged report of the incident against the accused with police station Sangola on 20.05.2021.

8 On lodging of report, my victim daughter was referred for medical examination at Rural Hospital, Sangola. I have produced clothe of victim daughter before police on 24.05.2021 which was seized vide seizure panchanama effected by police in my presence and presence of panchas. I have produced pista colour top, mehendi colour nicker, and badami pant having chain attached to the bottom of pant. Now, seizure panchanama shown to me, is the same. It bears my signature. I signed on panchanama, it is same, its contents are true and correct. The seizure panchanama marked as **Exh.32**. I can identify the clothes if shown to me.

9 (At this stage Learned Advocate Shri. G. G. Lad for the accused shown his willingness to admit the genuineness of contents of clothes seizure panchanama dated 24.05.2021 marked as Exh.32 and had stated at bar that accused has no dispute as to the identification of the seized clothes are marked as Article A, B and C during the evidence of PW1 informant mother of victim.)

10 I know accused, he is present in the Court, he is son of my real sister. I know his since his birth.

Cross-examination by Adv. Shri.G. G. Lad for the accused

11 It is true that my victim daughter never disclosed about description of clothes on her person at the time of alleged incidents. It is true that it is not so mentioned in panchanama Exh.32. Witness volunteers that I produced clothes of victim daughter which she wore at village Save during her visit. I had gone through the contents of

panchanama Exh.32 when I signed it. It is true that facts disclosed in my voluntarily statement, for first time today I disclosed it.

12 It is true that on 24.04.2021, we came to know that something wrong has happened with our victim daughter. It is true that on that day, we could have lodged report. Witness volunteers that but thinking about our close relations with accused Indrajeet we restricted ourself. It is true that it is not so mentioned in my police statement.

13 When we went back home after 24.04.2021, we have disclosed the incident of sexual abuse of my victim daughter to my parents. That time discussion also took place about report to be lodged with police however, my parents restricted us. It is true that myself and my wife had taken all decision in regard with my victim daughter like choice of school and classes for her.

14 During the period of 24.04.2021 to 18.05.2021, I made conversation with my daughter on mobile for two to three times. We made further inquiry but my daughter was frightened and she could not disclose entire facts at that time. On 24.04.2021 we tried to comfort with my victim daughter and gain her confidence.

15 In the Month of January 2020, my victim daughter was attending the school. In the year 2021, my daughter was studying in 7th class. In the Month of April 2021, her academic session of 7th standard was completed. It is true that during the period January 2020 to April 2021, my victim daughter was residing with us and she was following her ordinary routine. I could not made out stress pressure if any upon my victim daughter. My daughter was having normal conduct with every member of our family.

16 In the Month of April 2021, it was period of Covid Pandemic and there were restriction on movements. It is not true that my daughter went to her maternal aunt Sunita at Kargani in Month of March 2021. My daughter was having normal behaviour with me. Since beginning my daughter was visiting terms to my sister's house i.e. house of accused and vice-versa, my sister and her family members were also visiting terms to my house. It is true that my victim daughter was having good relation with my sister i.e. mother of accused.

17 In the Month of 2020, the lock down due to Covid Pandemic was declared and it continued till June 2020. It is true that accused used to reside in joint family during period of alleged incident with his parents, elder brother and his family, wife of accused and his two children.

18 It is true that on 16.03.2021, we came back home from Babulgaon in the night hours of 11.30 p.m. On that day, my parents, my brother and his family and my family were used to reside in my two storey house. My business of printing press is operated from underground hall however whenever it is heavy work load, I used to conduct some business activity from the nearby place of hall of our house. It is not true that in the Month of March 2021, due to lock down I was conducting my business from my house.

19 In the night of 16.03.2021, we did not conversation with my victim daughter as she was sleeping in hall and we slept in bedroom. On next day morning I talked with my victim daughter.

20 It is true that on the day of lodging report, on 20.05.2021, the marriage ceremony of accused was arranged at village Save. I was having knowledge about it about being close relative I have taken every

initiative since beginning for the marriage of accused. It is not true that in the Month of April 2021, my daughter told her us that she likes Indrajeet Dada. It is not true to say that she also disclosed to stop the propose marriage of Indrajeet. It is not true that as our daughter was not listening to us, therefore, she was sent at place of Sunita. It is not true that on 20th May, 2021 my victim daughter on her own started to police station. It is not true to say that, she intends to stop the performance of marriage of accused. It is true that accused was arrested on 20.05.2021 during the marriage ceremony. It is not true that therefore, we falsely narrated the concocted story and lodged after thought false report against the accused. It is not true that therefore, we could not lodge report on 24.04.2021 in spite of knowing about the alleged acts.

21 It is not true that I falsely stated in para No.2 to 10 of my examination in chief. It is not true that I made false allegations of sexual abuse commission of forceful rape by showing obscene videos on mobile by accused to victim. It is not true that I falsely deposed against the accused implicate him in false crime. It is not true that no incident was disclosed as narrated by me in para No.2 to 10 of my examination in chief by my victim daughter to us at any point of time. It is true that I never disclosed date of birth of victim before police at the time of recording of my statement. It is not true that I deposed false in my examination in chief and gave false evidence.

Cross-examination completed.

No re-examination.

R.O.A.C.

Date : 11.06.2026

(Smt. T. G. Mitkari)
Special Judge (POCSO) Pandharpur