

In the Court of XLIX Additional City Civil & Sessions Judge
[Special Court for trial of NIA Cases], Bengaluru.

Spl.C No.595/2021

WITNESS FOR PROSECUTION

Duly sworn on 10.07.2025

PW.17/ CW.13

Deposition of : Sri Sunil Sharma

Father's name : Sri Sompal Sharma

Age : 36 years

Occupation : Constable, Railway Police, Palwal,
Haryana State

Residence : Hazarath Nizamuddin Railway quarters,
New Delhi

EXAMINATION-IN-CHIEF BY THE LEARNED SPP:-

(The witness does not understand either Kannada or English language. He submits that he knows only Hindi. Hence, with the consent of the learned counsel for the accused, Sri. Pradeep Kumar K, Advocate is appointed as translator to translate the answers given by the witness in Hindi to Kannada language.)

1. In the year 2020, I was working as Railway Police Constable in Hazarath Nizamuddin Railway Station, New Delhi. From 2019 to March 2025, I worked as Railway Police Constable in Hazarath Nizamuddin Railway Station, New Delhi.
2. As per the instructions of my superior officer by name Krishna Kumar, on 13.10.2020, I went to NIA office at Lodhi Road, New Delhi. My superior officer - Krishna Kumar gave instructions to me and my colleague Naresh to go to NIA office. I went to NIA office approximately at 2.30 P.M and I met Deepak Gupta in NIA office.
3. In the NIA office, Deepak Kumar Gupta told me that he was going to enquire one person who was in NIA office relating to a case pertaining

- to religious aspects and foreign nationals and asked me to be present at that time. Deepak Kumar Gupta enquired and asked Irfan Nasir (A-3) about his email account and facebook account
4. Accused No.3 told Deepak Kumar Gupta that if he was provided computer with internet connectivity, he would open his email and facebook accounts. Accordingly, Deepak Kumar Gupta provided computer system with internet connectivity to accused No.3 Irfan Nasir.
 5. Accordingly, accused No.3 opened his Gmail account and tried to download some files, but it was taking long time to download, so accused No.3 tried opening his facebook account but he did not open as he forgot the password. So accused No.3 used forgot password option and got the password in his gmail account through which he opened his facebook account. After which accused No.3 downloaded some videos, files and photographs. On the instructions of Deepak Kumar Gupta accused No.3 downloaded some videos, files and photographs.
 6. Accused No.3 created folder in the computer and downloaded the files into the folder. As per instructions of Deepak Kumar Gupta, accused No.3 created the said folder in the computer. Deepak Kumar Gupta brought a brand new CD and instructed accused No.3 to copy the data saved in the folder created by accused No.3 as instructed by officers to CD.
 7. Then Deepak Kumar Gupta placed the said CD in an envelope and sealed it in my presence. Naresh, Deepak Kumar Gupta and I affixed our signature on sealed envelope. I signed only on sealed CD. Witness volunteers that I signed a document also. The said proceedings were conducted about from 02.30 P.M to 05.30 P.M. I can identify the document which I signed if it is shown to me.

8. The witness identified his signature on disclosure cum recovery memo and identified the said disclosure cum recovery memo and his signature on it. Hence, disclosure cum recovery memo is marked as **Ex.P.68** and signature of witness on last page of Ex.P.68 is marked as **Ex.P.68(a)**.
9. Now I can identify the CD if it is shown to me. (The learned SPP seeks permission to open sealed envelope. Permitted. One sealed envelope is opened in open court. It contains CD.) The witness identified the said CD and his signature on CD and also on envelope. Hence, the said CD is marked as **Ex.P.69**, signature of witness on CD is marked as **Ex.P.69(a)** and signature of witness on envelope is marked as **Ex.P.69(b)**. Then I returned to my office. Deepak Kumar Gupta gave notice to me asking me to come to NIA office tomorrow.
10. Accordingly, on 14.10.2020, Naresh and I went to NIA office at 10.45 A.M. When we went to NIA office on 14.10.2020, Deepak Kumar Gupta was again enquiring accused No.3 Irfan Nasir about him, his family, and his residential address. Accused No.3 told Deepak Kumar Gupta that his family was residing in Bengaluru and also told that he was well educated and he has done some administration course and his father was businessman. Accused No.3 told Deepak Kumar Gupta that he was doing timber business with his brother and also told that his mother was religious and she used to pray 4-5 times a day. Further accused No.3 Deepak Kumar that he had a friend by name Fayaz Masood who is his college friend. Accused No.3 told Deepak Kumar that his friend Fayaz Masood made him to join some muslim religious group called IQRA circle and also told that through Fayaz Masood, he met Zakir who was into IQRA circle. Zakir told Irfan that he was doing Muslim movements for long time and he used to encourage others to

come and join it and further accused No.3 told Deepak Kumar that he, Fayaz Masood and Zakir used to have meetings with other youth and made them to join them and there was one more group called HUT in which also Fayaz Masood made accused No.3 to join and accused No.3 told that he went to Lal Masjid, Bengaluru alongwith Fayaz Masood and also accused No.3 told Deepak Kumar that some videos were displayed in the meetings and some of videos were religious related and also related to what was happening in Syria against their religion and they need to send people to Syria and videos of Zakir Nayak were shown. Accused No.3 told Deepak Kumar that some of the people were sent to Syria and they were paid for it and there was one more group called Quran Circle and people were added into that Quran Circle group also and accused No.3.

(At this stage, the learned counsel for accused No.1 to 3, and 5 objected to record further evidence of this witness pertaining to disclosure memo of accused No.3 Irfan Naseer (D.No.14) submitting that his evidence is barred U/sec.25 of Indian Evidence Act.) Hence, further examination-in-chief of this witness is deferred posting case to hear on the objection raised by the learned counsel for accused No.1 to 3 and 5.

(TYPED IN OPEN COURT TO MY DICTATION)

R O I & A C

(KEMPARAJU)
XLIX Addl. City Civil & Sessions Judge &
Spl. Judge for trial of NIA cases,
Bengaluru.