

Deposition of Sri Pratap Ch. Pati, witness  
no. 6 before the Additional Sessions Judge,  
2nd Court, Alipore, 24-Pgs (s), dated 19.2.91.

Cr.P.No. 41

FORM FOR RECORDING DEPOSITION

The deposition of witness No. 6 for the prosecution  
aged about 25 years taken on oath of solemn affirmation  
of this 19th day of February, 1991.

My name is Sri Pratap Ch. Pati

My father's name is Late Rane Pada Pati

by religion Hindu My home is at Mauza

Police Station I reside at 142/2 Uddadonga  
Main Road, Calcutta -6.

I am a supervisor under " M/s Security and  
Investigation Bureau " at 1 Adyanath Saha Road, Cal-48.  
We provide security guards to different sections,  
Offices and residential houses. I know the aced.  
( identified in the dock ) He served as a security  
guard under one company. We provided two security  
guards, namely aced. and Dasarath Murmu to ' Anand  
Apartment'. On 5.3.90, the aforesaid two persons  
served as security guards in the said apartment. Aced.  
used to stay in the Generator room in the premises of  
the said apartment and the ( illegible ) security guard  
used to put up in " Monoram School " Cal -/1 Charabaria  
Road, Cal-20. The Duty hours of aced. were from 6 A.M.  
to 2 P.M. and that of the other security guard were  
from 2 P.M. to 6 O'clock next morning. Apart from  
myself, Nanda Day also served as supervisor during  
the aforesaid time. Aced. used to act a security guard  
everyday & the night at the residence of Rajat Roy  
Showbury on Mahendra Road under Howrah Police

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Police Station. He was engaged for this consignment through one company. As a supervisor my duty was to check up the ~~xx~~ workings of the security guards provided by one company to different places and submit reports to one office on such inspections on the basis of aforesaid reports the attendance sheets of the security guards were used to be prepared on that basis they used to get their salaries. I was required to sign the Attendance sheets. The ~~xxxx~~ security guards used to take their pay by signing ~~xxxxxx~~ vouchers.

On 5.3.90 I went to my office at about 12 noon 1 p.m. I came to know that our proprietor Shyamal Karzakar had been to Bombay and that prior to his departure to Bombay he gave a direction for transfer of accused from " Ananda Apartment " to Paras Apartment" and Bijoy Thapa a security guard working in " Paras Apartment " from " Paras Apartment " to " Anand Apartment". " Paras Apartment " is located at 1/1, Chakraberia Lane. The aforesaid transfer orders had been sent through Regaul Haque, another security guard of our company on 4.3.90. At about 5.45 p.m. I came to "Anand Apartment". I was found Dasarath Mirma on duty there. I ascertained from him if Bijoy Thapa had reached there or not, saying that Bijoy Thapa was to reach there. He stated to me that accused performed his duties in the morning hours. I gave out that since he was transferred he was not supposed to do any duties there.

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I wanted to know the whereabouts of the accused and was told that he was there. I asked Murmu to call the accused. Murmu reported to me that accused had gone to flat of Parekh babu in 3rd floor for giving a telephone call to our office. I asked Murmu to call the accused. He tried to contact the accused in the flat of Parekh babu through intercom but he did not get the connection. He called Chatterjee by his name from downstairs from his duty post. I was present there at that time. Leaning out of the balcony of the 3rd floor flat of Parekh babu he replied that he was coming down. Thereafter he came down. I wanted to talk to him. He wanted to leave the place hurriedly and asked me to come out. I followed him. I asked him to wait to ascertain from him if he had received the transfer order. He admitted that he had received the transfer order. He stated that as he had some works he could not take over in " Paras Apart " at ". I asked him to report for duty at " Paras Apartment " with effect from 6.3.90 without fail. I went to " Paras Apartment " thereafter and asked Bijoy Thapa who was on duty there to hand over his charge to the accused when he reported and proceed to " Anand Apartment " for doing his duties. It was about 6 O'clock in the evening when I left the premises of " Anand Apartment ". Accused did not work under our company after 5.3.90. I have not seen him thereafter. These are the six sheets of attendance register showing the recording of attendance in respect

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of the security guards working under our company for the period from January to March '90 relating to " Anand Apartment " and 3/1B, Mahendra Road. All the <sup>entries</sup> entries in the aforesaid sheets were made by Tapan Roy, whose writings are known to me. All these sheets also bear my signatures ( witness identifies his signatures on the sheets ). The six sheets be marked ext. 14 ( collectively ) and the signatures of the witness thereon be marked ext. 14/1 ( collectively ). I signed the aforesaid sheets as a xxx supervisor.

X-examination on behalf of the accused.

I was present when the writings were made in document marked ext. 14 ( collectively ). It is not my duty to write the particulars in the attendance register. The attendance was used to be recorded in pursuance of my report. I did not remember if I gave that report to police. I submitted the report orally on the basis of which the attendance sheets proved by me have been made. I used to keep notes of my inspection report. I did not hand over the inspection notes to police. I have been working in /s. Security & Investigation Bureau for the last three years. Accused has been working in the particular establishment from before I joined there. Before the present employment I was employed with " Anapol Security Company " at 2/1, Loudon Street. Not a fact that I lost my employment there for committing theft and that I got my employment with my present

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present employer on the recommendation of the accused. I gave statement to police about the incident on 6.3.90 in my office. One can be contacted in any flat upstairs in " Anand Apartment " through the Intercom system near the place where the security guard sits in the ground floor. I did not remember if I had stated to police that attempt was made to contact the accused through intercom in the flat of Parekh babu but the line was not available. Not a fact that I have been tutored to say that attempt was made to contact the accused in the flat of Parekh babu through intercom but the line was not available. There is a balcony in each of the flats of " Anand Apartment " and such balconies exist on the same line in upward direction. One can be contacted in a flat in 3rd floor by using the lift. I cannot say if anybody inside flats in 2nd, 3rd and 4th floor would hear any call from downstairs. I cannot say if anybody hearing a call inside 2nd, 3rd or 4th floor of the building would prefer to come down than coming out in the balcony and responding to the call. Not a fact that it is not possible to say from the ground floor as to the particular balcony in any flat wherefrom a person response to a call from the ground floor of the building. Not a fact that accused did not respond to the call of Murma by coming out in the balcony of flat of Parekh babu as stated by me in my examination in chief. Not a fact that Murma did not report to me that accused had been to the flat of Parekh babu for using his telephone for the purpose of contacting our office. Not

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Not a fact that I got the accused at the place where the security guard sits on 5.3.90 when I went there at about 5.45 p.m. I cannot say if there was trouble between the accused and his employer for a long time and that the attendance sheets marked ext. 14 ( collectively ) had not been prepared in my presence and that I did not hand over to police or anybody the report of my inspection about the attendance of the security guards at different places.

I did not return to " Anand Apartment " after I left the same at 6 p.m. on the date of the incident. I never visited " Anand Apartment " after 5.3.90. Not a fact that I was not a supervisor in the company that I have mentioned in my examination in chief at the relevant point of time. Not a fact that I have been tutored by police to say falsely of what I have stated regarding my visit to " Anand Apartment " and my contact with Murmu and accused on 5.3.90 and that out of enmity when the accused I have deposed falsely.

Dictated & corrected by me.

Sd/- R.N.Kali 19.2.91

Sd/- R.N.Kali  
A.D.J.

Addl. District Judge.  
2nd Court, Alipore.

Sd/- Sri Pratap Chandra Pati

19.2.91.