

Deposition of Sri Salil Basu Chowdhury (I.O.)
witness no 29 for the prosecution, before the
Additional Sessions Judge, 2nd Court, Alipore
26 Pgs (3), dated 16.4.91. 180

SI. No. 82

HIGH COURT FORM NO. (J) 1.

FORM OF HEADING OF DEPOSITION

In the 2nd Court of A.S.J. at Alipore

S.T. Case No. 1(11) of 1990.

Present :-

Deposition of witness No. 29 for the prosecution
taken on oath/solemn affirmation on the 16th day
of April, 1991.

My name is Shri Salil Basu Chowdhury (I.O.)
son of Sri Manindramohan Basuchowdhury

My age is 38 years. I reside at 100, Ashwini Road,
P.O. New Barrackpore, P.S. Khardak Dist.
24-Parganas (North).

Police Station District

My occupation is

I am S.I. of police now attached to Detective
Department, Homicide Squad, Lalbazar. I took up
charge of investigation of this case on 8.3.90 as
per orders of O.C., Homicide Squad. I received
the case diary of this case on 13.5.90. On 11.5.90
I along with Inspector S.N. Majumdar, Additional
S.I., Homicide Squad and police Party started for
Kulathi village under P.O. Mhatra in the District
of Malda which is the native place of accused
(as identified in the lock). I am holding a secret
document no. 46 of 8.3.90, dated 11.5.90.
On 11.5.90, Mhatra P.S. Thereafter we went for a
patrol in Kulathi village with an officer no. 4

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named Prasad Chatterjee, S.I., and police force of Chhatra P.S. Two witnesses named Nandagopal Deoghoria and Debdulal Mukherjee were collected on our way. After reaching Kuludimi village we went to the house of the accused and searched for him but he was not found there. Thereafter we searched in an adjoining house belonging to the uncle of the accused. Accused was not found there. Thereafter we searched the house of the elder brother of the father of the accused and found the accused hiding behind a stack of straw and we arrested him from there. I interrogated the accused after his arrest and recorded his statement. This is the particular statement recorded by me as per dictation of the accused. I signed the statement and made an endorsement that I read over and explained the contents of the statement to the accused. The statement is marked ext. 34.

The accused stated in ext. 34 - " I kept the ladies rich wrist watch with golden metal band which was stolen by me from flat no.3A of 2nd Apartment on S.2.90 on the rack of our house. I also kept my garments by wearing which I committed rape on Hetal Parson and killed her, on another rack of our house. I will point out the racks and those articles" -
 (Subjected to).

Thereafter the accused took us to a house. He brought out a packet wrapped by newspaper. That packet contained one shirt and one pant. We seized

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As seized under this seizure list (witness identifies document marked / for identification) ladies wrist watch with golden metal band which was found on the rack inside the room of the accused and pointed out to me by the accused. The particular seizure list is marked ext. 16. Witnesses Wandagopal Deoghoria, Debdulal Mukherjee, P.Chatterjee of Calcutta P.S., Inspector S.N.Majumdar, accused Bhananjoy Chatterjee and myself signed the particular seizure list. After seizing the aforesaid articles I labelled the same and thereafter I packed them and sealed them.

(to be continued)

Dictated & corrected by me

Sd/- H.N.Kali
Sessions Judge in charge

Sd/- H.N.Kali
16.4.91
Sessions Judge in Charge.

Sd/- Salil Basuchowdhury
16.4.91.

Further examination in chief resumed

I arrested the accused at 02.5 A.M. on 12.5.90. These are the wearing apparels I had seized from the accused on 12.5.90 (witness identifies articles marked material Ext. XII (collectively). This is the wrist watch I seized as brought out by the accused . witness identifies the article marked material ext. 17). This is the particular newspaper by which the wearing apparels marked material Ext. XII (collectively)

U.P.No. 83

had been wrapped (witness identifies the article marked material ext. ...II (collectively. I recorded the statement of Nandagopal Deoghoria and Debdulal Mukherjee after making the aforesaid seizure of articles. Thereafter, we returned to Chhatna P.S. along with the accused and the accused was produced before the Id. C.J.M. at Bankura with the prayer for retaining the seized articles in our custody.

On 15.3.90 I went to the place of occurrence along with the photographer. A snap of flat no.3A of Anand Apartment, 57A and 57B, Padmapukur Road, was taken. I recorded statements of other witnesses as well in this case as investigating officer, got the accused medically examined, collected the report on the medical examination of the accused. Under this seizure list (witness identifies document marked R for identification) I seized one Godrej Key as described in the seizure list in presence of witnesses. The particular seizure list is marked Ext.8. Under this seizure list (witness identifies document marked D for identification) I seized some payment vouchers and other articles as described in the seizure list as produced by witness Shyamal Karmakar. The particular document is marked ext.24. With myself and Shyamal Karmakar signed on the reverse of the documents as mentioned in the particular seizure list.

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Under these documents (witness identifies document marked W for identification) I seized certain documents as produced by Nagardas Parekh and as described in the seizure list. The same be marked ext. 5. Both myself and Nagardas Parekh signed on the reverse of each of the papers as produced by Nagardas Parekh and as mentioned in the particular seizure list. I sent some of the seized articles to chemical expert for chemical analysis. These are the two forwarding memoes running into 8 pages prepared by me and by which I sent some of the alamats to chemical expert for analysis. The particular memoes be marked ext. 35 (collectively). These are the reports submitted by the chemical expert in 9 sheets collected by me. The same be marked ext. 36 (collectively). Finally, on perusal of the materials in the C.D. I submitted chargesheet against the accused.

X-examination on behalf of the accd.

Dictated & corrected by me

Sd/- R.N.Kali
Sessions Judge in Charge.

Sd/- R.N.Kali
Sess. Judge in Charge
South 24-Parganas.
20.4.91.

Sd/- Basuchaudhuri.

20.4.91.

Cross-examination on behalf of the accused.

We reached the house of the accused on 16.5.90 at 1.15 O'clock at night. The inmates of the village where the accused was found consisted of the family of the accused and his relations.

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I cannot say there are how many dwelling houses in village Kuludihl where the accused was found. I did not requisition the service of any of the residents of village Kuludihl for the purpose of conducting search in the house of the accused.

I arrested the accused at 2.35 O'clock at night on the same day. I recorded the statement of the witnesses who accompanied me from Chhatna at 3.30 O'clock at night on the same day. The incriminating articles were recovered at 2.45 O'clock at night. I conducted search in the house of the accused before I arrest him. After searching the house of the father of the accused, I searched the house of ~~the~~ the uncle of the accused and thereafter I searched the house of the elder brother of the father of the accused and accused was found hiding behind the stack of straw in that house. I entered the room wherefrom the incriminating articles were recovered for finding the accused. I did not make any attempt to find out any incriminating article at that time. I only made efforts to locate the accused. I recorded the statement of the accused after segregating him from the witnesses who accompanied me and thereafter I interrogated the accused. I did not note the time when I recorded the statement of the accused in the particular document in which the statement was recorded, that is ext. 34.

Not a fact that I recorded the statement marked ext. 34 subsequent to the recovery of the incriminating articles and that the statement was not recorded

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recorded at the place wherefrom the recovery was made and that accused did not bring out the incriminating articles as stated by me, and that accused did not hide himself behind the stack of straw as stated by me.

I contacted Messers H.M. Watch Company during investigation. I did not seize any cash memo dated 21.2.90 from the aforesaid shop. I did not seize any sale register indicating how any watches had been sold out on 21.2.90. I did not hand over any copy of the seizure list to the accused.

Dictated & corrected by me.

Sd/- R.N.Kali

Sessions Judge in charge.

Sd/- R.N.Kali

Sessions Judge in Charge

2nd Court, Alipore.

Sd/- Salil Basuchaudhuri

2.5.91.