

NO. 11

81

Deposition of Sri Nagardas Parekh, witness no
4, before the Additional Sessions Judge 2nd Court,
Alipore, 24 - Pgs (5), dated 13.2.1991. ~~dated 13.2.1991~~

Orl.P.No. 33

HIGH COURT FORM NO.(J) 1.

FORM OF HEADING OF DEPOSITION

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

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

Present :- Sri R.N.Kali, Addl. Dist. Judge,
2nd Court, Alipore(s)

Deposition of witness No. 4 for the prosecution taken on
oath/solemn affirmation on the 13th day of Feb. 1991.

My name is Sri Nagardas Parekh
son/wife of Late Cirdhamlal Parekh

My age is 63 years. I reside at 57A 8B Pado Pukhur Rd.
Cal- 20.

Police Station Bhawanipur , District Calcutta

My occupation is Business.

I used to reside in flat no.3A in Ananda Apart-
ment at premises no.57A and B, Pado Pukur Road, with my
wife son Bhabesh and daughter Hetal, since deceased, on
15th March, 1990.

I have 3 bed rooms, one drawing room, 2 bath
rooms, one kitchen and a balcony in my aforesaid flat.
There is a sliding door and a collapsible gate in the
balcony.

I run a business at 71, Canning Street, under the
name and style " Alankar ". My telephone no. of the shop
is 25-1610. The telephone no. in my flat is 75-0181. At
the relevant point of time I was the Chairman of the
Owners Association of Anand Apartment. I know the
accused (identified in the dock). He was a security
guard of our Apartment. Except the accused there

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there was another security guard named Dasarath Murmu at the relevant point of time. The duty hours of the accused was between 6 A.M. and 2 P.M. The security guards in our apartment had been provided by Messers Security & Investigation Bureau, no.1, Addinath Saha Road, Calcutta-48. Shyamal Karmakar was the owner of the particular institution. The duty hours of the other security guard, Murmu was from 2 P.M. to 6 P.M. A.M. next morning. We had one lift in our apartment. Ramdhani Yadav was the concerned liftman. He still serving there. Accused used to reside in the generator room in our building. Ramdhani use to operate the lift from 8 A.M. to 2 P.M. and 4 P.M. to 8 P.M. On 5.3.90 I left for my shop at 9 A.M. Accused was on duty as the Security guard at that time. Shabesh was in college when I left for my shop. The liftman was on duty when I left for the shop. Shabesh came to my shop around 12/12.30 P.M. Hetal had gone for her exams. of I.C.S.C. at Well-end & Goldsmith School, Bowbazar, when I left for the shop.

At 6 P.M. I left my shop for purchasing a medicine when my son was in the shop. I asked him to close the shop at 7 P.M. and leave for home. I also told him that I would come back home straight-way. At 8.30 P.M. I reached my home. I found many people assembled near our apartment when I reached there. I boarded the lift without wasting time. Liftman Ramdhani told me that accid. had gone to my flat on the pretext of using

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of using our telephone when Hetal was alone there and when my wife had gone to the temple. He also reported to me that Hetal had been murdered.

On entering the flat I found my wife weeping by sitting beside the deadbody of Hetal. She told me that she had gone for the temple at 5.20 P.M. and returned therefrom at 6.05 P.M. and in the meantime Hetal was murdered. She had also stated to me that she came to know from Ramdhani that accd. had come to our flat on the pretext of using our telephone when my wife had gone for the temple. I became very upset on seeing the deadbody of my daughter. I went to my bedroom where my daughter was murdered. I found traces of blood in my bedroom. I also found a broken chain there and some hairs. One button of cream colour was found near the wall in my room. I found the almirah of my wife in my bed room open. Some wearing apparels were found strewn on the floor of the bedroom. I sat for 10/15 minutes as I became upset. I was wondering what to do. Some people asked me to ring up police. I rang up Bhawanipore P.S. and reported that my daughter Hetal had been murdered in my flat and I asked them to visit my flat.

On 2nd March, 1990 I returned from my shop at night and came to know from my wife that accused had teased my daughter Hetal while she was on her way to school and back therefrom. I became very angry on hearing this from my wife. I called the dwellers of

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of our apartment including Mahendra Chowvatia and Harish Vakhio and stated to them that the security guard in our building who teased my daughter should be replaced. They gave me the option to replace the accused as a security guard saying that they had no objection to that. On 3rd March, 1990, I asked Shyamal Karmakar to come to my residence. On the same day he came to my flat after 7 P.M. I complained to him that accused teased my daughter and wanted him to replace the accused. He wanted me to put in the complain in writing. Accordingly, I wrote the complaint in duplicate and handed over one to him and kept his signature on the copy thereof. This is the original complaint written by me and handed over to Shyamal Karmakar. The same is marked Ext.4. This is the copy of ext.4 prepared in the same process. This endorsement " received the original" was made by Shyamal Karmakar and he put his signature with date thereon. This particular letter be marked Ext. 4/1. This is my signature (witness identifies his signature with date in the seizure list dated 30.6.90). The seizure list be marked W for identification. Signature of the witness with date thereon be marked ext. 5/1. Under the aforesaid seizure list these two bills raised by " Security and Investigation Bureau " (witness identifies the two bills) and this money receipt also granted by the aforesaid concern (witness identifies one money receipt) and Ext. 4/1 had been seized from me. The two bills be marked N (collectively) for

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for identification. The money receipt be marked M for identification. All these three documents on the reverse bear my signatures with date (witness identifies his signatures with date on the document marked N for identification (collectively) and M). The same be marked ext. 6/1 (collectively) and ext. 7/1 respectively. This document bears my signature (witness identifies his signature in the seizure list dated 24.5.90). The particular document be marked R for identification and the signature of the witness thereon be marked ext. 8/1. Under the aforesaid seizure list the key of the broken lock at the entrance of our door had been seized.

On 6th March, 1990, my wife reported to me in the morning that her wrist-watch was missing from her almirah. I asked my son to lodge a complaint on this particular matter to Bhawanipore P.S. My wife signed the complaint and myself accompanied by my son and other relatives handed over the complaint along with the guarantee card of the particular watch of my wife to Bhawanipore P.S. I purchased the particular wrist watch at Rs. 350/- from Messers H. M. Company at Radha Bazar on 21.4.90. This is the particular wrist watch purchased by me (witnesses identifies material ext.IV). I used my telephone for ringing Bhawanipore P.S. on the date of the incident. No servant resides in my flat. Servants work on a part-time basis in my flat. Servants duty hours are from 7.30 A.M. to 9 A.M. and from 8 P.M.

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8 P.M. to 9 P.M.

(At this stage a key is broken out by breaking open a sealed envelope and the same is brought to the notice of the witness). This is the key of the lock of the door in the entrance of my flat. The same be marked material Ext. VIII. This key is handed over to police under the aforesaid ~~xxx~~ seizure list marked R for identification. This is the picture of my murdered daughter Hetal. (witness identifies material ext.I/1).

Cross-examination on behalf of the accd.

I gave statement to police on 5.3.90 at about 10/10.30 P.M. in my flat. I found 15/20 people assembled near the premises when I reached there at about 8.30 P.M. I found some people inside my flat when I reached there. They were about 7/8 in numbers. They included residents of the flats, relatives and friends of my son Bhabesh. I rang up Bhawanipore P.S. within 30/45 minutes of my arrival in the flat. I had talks with my wife when I found her sitting by the side of my deceased daughter lying in her room. I heard everything relating to the incident from my wife at that time. The broken chain and the cream coloured bottom of which I have spoken in my examination in chief were not seized in my presence.

My son Bhabesh was there when I had talks with my wife about the incident prior to my ringing up police. I had no talks with Bhabesh at that time. Before I rang up police I was aware that accused committed the crime.

I had a servant by name Radhershyam. He works in my flat for 15 days and left his job during the puja days of 1989. He is now working in Security and Investigation Bureau owned by Shyamal Karmakar. Radhershyam was not in the aforesaid organization when he worked as a part-time servant under me. I have no whole time servant in my flat. In some of the flats of my apartment, there are whole time servants. Ramesh is now working ~~in~~ ⁱⁿ my flat as servant. He started working after Radhershyam left. Not a fact that ~~Ramesh~~ Radhershyam was not a part-time servant but a whole time servant in my flat. Not a fact that about one month and a half prior to the incident Radhershyam was engaged in doing scavenging job in the room of Hetal and that Hetal had scuffles with him when she tried to sit on his back and that I dismissed Radhershyam on this incident and that Ramesh is working as a full time servant and that as a part-time servant in my flat. I do not remember if I had stated to police what Ramesh works in my flat as a part-time servant. Ramesh hails from Bihar.

Mr. Tandon was the chairman of our flat owners association prior to me. I was also the secretary and ~~cashier~~ cashier of the aforesaid association when I was holding the post of chairman. Mahendra Chauhan was the chairman of our association once. Harish Vakarria was also a chairman of the association once. Not a fact that the latch-lock system at the entrance door of our flat was not there on the date of the incident. The ~~servants~~ servants working in the flats use staircase

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staircase for coming up and going down. There is an open space in front of the lift at the ground floor. The staircase runs by the side of that open space. The same staircase leads to the roof of the house. The incident did not occur in my presence. I found the door at the entrance of the flat open when I reached my house at night on the date of incident. The "Chhitkini" of the door at the entrance was not in broken condition. Padmapukur Road runs to the north of my flat. All the rooms in the flat had glass windows with grills. There are dwelling houses on Padmapukur Rd. at a distance of about 20 ft. from our flat. There is a lane known as Padmapukur Road originating from the same road where there are three buildings. Those are two storied three storied buildings. Aruna Shaw is the owner of flat no.39. One Ganga was his servant at the relevant point of time. He is still working there.

One Goura, son of Ganga, works in the house of Aruna Shaw. Mother of Aruna Shaw visits our flat. She resides with Aruna Shaw. Aruna Shaw runs his office at Amertala Lane. He has got an agency of "Punparag".

On 2.3.90 I came to know for the first time from my wife that abused teased my daughter while she was on her way to school and back. Panchu used to work as a part-time servant in the flats of Aruna Shaw and also in some other flats in the 4th floor of the building at the relevant point of time. There is a locker in the Godraj Almirah in our bed room. The witness volunteers

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We did not use the key of the locker. I knew what articles were used to be kept in the particular almirah at the relevant point of time. One wrist watch and the clothings of my wife were used to be kept in that almirah. I did not check up on 5.3.90 after the incident as to whether all the articles inside the almirah in the bed room were there or not. I ^{was} witness volunteers - I was not in a mood to make any enquiry in that regard at that time. I did not visit the particular shop wherefrom I purchased my wrist watch of my wife prior to the purchase made by me. Many wrist watches are available in a particular shop. I have seen the wrist watch of my wife in court today. I have seen the watch being used by my wife earlier after I purchased the same. I cannot say the number of the particular wrist watch. I had no idea of the number of the particular wrist watch when I purchased the same. The cash memo for the purchase of the particular watch is not with me though I had taken the same at the time of purchase. Hetal had a wrist watch of her own. I cannot say the particular of that ~~wix~~ wrist watch. I did not show the wrist watch of Hetal to police. My other two daughters live in Bombay after their marriage. They visit our flat at times. Both of them with their respective husbands came by flight to our flat on 6th March, 1990 after the incident. They were with us for about a week. My wife left with them. My wife came back after 15 days. The number of the ~~xi~~ wrist watch is not there in the guarantee card. Not a fact that I did not purchase any wrist watch for my wife and that the

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and that the guarantee card produced by me was not given to me for the purchase of such a wrist watch and that the particular guarantee card has been created fictitiously after the case was instituted. Hetal was going to school and coming back from there alone since 1957. She was aged about 18 years when she was murdered. We cannot enter our flat, ~~unless~~ unless the door is opened from inside. Only Hetal was inside the flat when the occurrence took place.

Not a fact that I did not find a broken chain and a cream coloured button as stated by me in my examination in chief and that the name of the accused has been falsely implicated in this case out of grudge.

Not a fact that I had quarrel with the accused on his transfer from our apartment.

Sd/- R.N.Kali 13.2.91

Additional Sessions Judge
2nd Court, Alipore.

Dictated & corrected by me

Sd/- R.N.Kali 13.2.91.

Sd/- Nagardas Parekh

13.2.91.