

Deposition of Dr Dipankar Guha Roy  
witness no. 20 for the prosecution, before the  
Additional Sessions Judge 2nd Court, Alipore, 24  
Pgs (s), dated 11. 3. 91. 141

Orl.P.No. 63

HIGH COURT FORM NO.(J) 1.

FORM OF HEADING OF DEPOSITION

In the 2nd Court of Addl. Sessions Judge at Alipore.

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

Present :- Shri R.N.Kali, Additional Sessions Judge.

Deposition of witness No. 20 for the prosecution taken  
on oath/solemn affirmation on the 11th day of March, 1991.

My name is Dr. Dipankar Guha Roy.

son/ wife of: Father's name - Late Dr. T.N.Guha Roy.

My age is 40 years. I reside at 46/1, Anandagirh,  
Deshriya Nagar. Police Station Belghoria District

My occupation is

I am Medical Officer in the Department of Forensic  
and State Medicine, Medical College, Calcutta, since  
1987. I am M.B.B.S., M.D. in Forensic and State  
Medicine.

On 6.3.90 I held postmortem examination over the  
deadbody of one Hetal Parekh, aged about 13 years, 5'3"  
in height, weighing about 45.2 kg., identified to me  
by constable No.T-36, Arun Kumar Saha, in Calcutta  
Police Morgue. As per document available with me I  
recorded the time of arrival of the deadbody in the  
morgue at 1.25 P.M. on 6.3.90.

On examination I found the following injuries on  
the person of the deadbody.

1. Contusion measuring 3" X 2" with multiple

abrasions over it 7 in number of ~~sm~~ sizes varying from  $3/4"$  x  $1/2"$  to  $1/2"$  x  $1/4"$  on the left side of neck, one inch above the level of Supra sternal notch and 2" behind and left of mid-line.

2. Contusion  $4"$  x  $2"$  with multiple abrasions of varying sizes from  $1"$  x  $1/2"$  to  $3/4"$  x  $1/2"$  over right side of neck 2" behind and right to midline and 1" above the right clavicle.

3. Abrasions four in number of sizes varying from  $3/4"$  x  $1/2"$  to  $1/2"$  x  $1/4"$  over left side of face, 2" anterior left angle of mandible and 1" above the lower border of mandible.

4. Abrasions two in numbers of sizes  $1"$  x  $1/2"$  to  $1/3"$  x  $1/8"$  over left side of face,  $1/2"$  below the injury no.3.

5. One abrasion  $2"$  x  $1/2"$  placed 1" below the chin over midline.

6. Abrasion  $2 1/2"$  x  $1"$  over left side of the face 1" right to mid-line and 1" above the lower border of mandible.

6(a). Abrasion  $3/4"$  x  $1/4"$  over left side of face,  $3/4"$  right to angle of mouth  $1 1/2"$  above the lower border of mandible.

7. <sup>or</sup> Lacerated wound  $1/2"$  x  $1/8"$  x muscle over bridge of nose  $1/2"$  below the fronto-nasal junction. On dissection there was a comminuted fracture of nasal bones.

8. Abrasion  $1/2"$  x  $1/4"$  over tip of nose.

9. Lacerated wound  $3/4$ th inch x  $1/2$  inch x muscle over inner aspect of lower lip,  $1/2$  inch left to mid-line.

- 10. One abrasion  $\frac{1}{2}$ " x  $\frac{1}{2}$ " over fronto-nasal junction.
- 11. One contusion 2" x 2" covered both lid of left eye and adjacent part of left side of forehead.
- 12. Haematoma  $\frac{1}{2}$ " x  $\frac{1}{2}$ " on medial aspect of conjunctiva of left eye.
- 13. Abrasion  $\frac{3}{4}$ " x  $\frac{1}{2}$ " over right frontal eminance.
- 14. Abrasions, two in numbers, each of sizes 2" x  $\frac{1}{3}$ " over medial aspect of left upper arm 5 inches above the level of left elbow joint.
- 15. One contusion measuring  $\frac{3}{4}$  inch x  $\frac{3}{4}$  inch over posterior aspect of left elbow joint.
- 16. Abrasion  $\frac{3}{4}$  inch x  $\frac{1}{2}$  inch over posterior aspect of left elbow joint.
- 17. Abrasions, two in number, each sizes  $\frac{1}{8}$  inch x  $\frac{1}{8}$  inch on the lateral aspect of right hip joint 4 inch below the level of highest point of iliac-crest.
- 18. Extra-vassation of blood in the subcutaneous tissue and muscle on ~~on~~ the left side of neck over an area of 3" x 2" corresponding to injury no.1.
- 19. Extra-vassation of blood present in and around the larynx trachea and oesophagus, corresponding to injury nos. 1 and 2.
- 20- Extra-vassation of blood measuring 2" x 1" over the ventral aspect of sterno-clavicular junction.
- 21. Fracture and dislocation of hyoid bone on its anterior corner of left side.

Orl.P.No.64 contd.

I found also the following internal injuries on the person of the deadbody :-

Hymen showed fresh tear at 4,5 and 7 O'Clock position with evidence of extra-vassasion of blood in margin.

I held postmortem examination at 4.30 P.M. on 6.3.90. I found rigormortis all over the body during the stage of my examination of the deadbody and postmortem staining on the back of the dependent part of the body.

I found one dark-coloured half-sleeve ganji with evidence of recent tear around the neck, one brassier and the deadbody was covered with a sheet of cloth.

Blood-stained discharge were found on nostril and face. The ganji on the person of the dead was bloodstained. Matting of public hair on the right side.

The victim was average built female subject. Her complexion was fair and her eyes were partly closed, cornea was found hazy and pupils dialated. Her scalp hair was about 15 inches in length and all black matted with blood.

In my opinion, death of the victim was due to the effect of smothering with strangulation and the same were antemortem and homicidal in nature.

All the injuries showed evidence of vital reaction. No injury other than what I have stated

Orl.P.No. 64 contd. & 65

Careful dissection and examination. The abrasions were red in colour and unscabbed. The contusions were reddish in colour. The margins of lacerated wound were irregular and reddish in colour. The colour of the ruptured hymen was reddish and there was extra-vassasion.

The injuries due to the smothering and strangulation that I have noted were sufficient to cause the death of the victim in the ordinary course of nature.

Injury no.21 was sufficient to cause the death of the victim in the ordinary course of nature. From the finding as noted by me the girl had been raped before she was murdered.

On 6.3.90 I received this communication from Inspector-in-charge of Bhawanipore P.S. Before I conducted the postmortem examination, I was asked to give my opinion on certain queries made in the particular communication during conducting the postmortem examination. I received this communication in the ordinary course of business and kept the same in my office record. The same is marked ext. 17.

Following are the replies to the queries made in ext. 17.

1. In reply to question (a) in ext. 17 - I requested the concerned authorities to look into

into postmortem 232 dated 6.7.90 of Calcutta Police Morgue.

2. In reply to question no.(b) ext. 17- The injuries found on the body of the deceased could have been caused by one person.

3. In reply to question (c) in ext. 17 . Excluding the period of preservation of the body inside the cooling chamber, if any, about 6 to 18 hours before conducting the postmortem examination.

4. In reply to question (d) in ext. 17 - The findings, in the hymen and matted pubic hair indicate that she was subjected to sexual intercourse, vaginal swab and matted public hair had been preserved.

5. In reply to question (e) in ext. 17 - Injury nos. 14, 15, 16, 17 mentioned in the post-mortem report ( over upper arm of left side ~~xx~~ elbow and hip ) and injuries over the face directly suggest that victim offered resistance.

6. In reply to question no.(f) in ext. 17 - The injuries over the face indicates that her face was pressed against some hard substance.

I recorded my aforesaid replies in this particular communication written by me under my signature. It is marked ext. 18. Both in the S.S.K.M. Hospital and in Calcutta Medical College & Hospital Morgue cold chambers are there. On the

Orl.P.No. 65 contd. & 66

On the basis of rigor mortis and postmortem examination I determined the time of death in the present case. Injury nos. 3 to 13 might have been caused by impact with hard substance. Fists and blows are also such hard substance. Injury nos. 3 to 13 on the face of the victim could have been caused being pressed with this type of substance ( attention of the witness is drawn to material ext. VIII ). Great force is required for fracture of hyoid bone. In this case, the victim was throttled to death. Smothering is caused by pressing in or any other hard substance of the face and the nose of the victim for closing air orifice of the victim. In this case, the death of the victim was due to asphexia. The finding noted by me on the pleura and lungs of the victim, that is patchial haemorrhage, indicated that the death of the victim was due to asphexia.

( To be continued )

Dictated & corrected by me

Sd/- R.N.Kali

Sd/- R.N.Kali  
11.3.91.

A.S.J.

Additional Sessions Judge  
2nd Court, Alipore.

Sd/- Dipankar Guha Roy

11.3.91.

Further examination in chief resumed ( dt. 12.3.91

This post mortem report was written and signed by me. The same by marked ext. 19. I was authorised by the Director of Health Service

Orl.P.No. 66

Service to hold post mortem examination on the dead body of Hetal Parekh. This is the particular authorisation letter which has been kept in my office in the usual course of business. It is marked ext. 20.

On 19.5.90 I examined one Dhananjay Chatterjee, at Calcutta Police Morgue. He was identified to me by Sub Inspector S. Basu Chowdhury, C.I. S.D.D. I received this requisition for examining the accused. The particular requisition has been kept in my office in the usual course of business. The requisition be marked ext. 21. The height of the accused is 5 ft. 6 inches and he weighed on the date of examination 56 kgs. I prepared this report after examination in my own hand. The report be marked ext. 22 ( witness identifies the accused as the person who he examined on 19.5.90 at 1.30 p.m. at Calcutta Police Morgue. The witness ~~an~~ makes the identification by verifying the identification marks that he noted in the ext. 22 ).

X-examination on behalf of the accused

Fracture of hyoid bone may occur due to heavy pressure of hard and blunt substance. Such fracture will not occur if a heavy substance falls on the throat with force. I saw the dead body for the first time at 4.30 p.m. I cannot say if the dead body for the first time at 4.30 p.m. I cannot say if the dead body was at all in the cooling chamber of the morgue and as to



Orl.P.No.66

and as to how long the dead body was kept in the cooling chamber. We do not hold post mortem examination on a dead body without requisition paper or inquest report. I had an impression while looking into ext. 17 that the deceased had been raped and killed.

Dictated & corrected by me.

Sd/- R.N.Kali 12.3.91

Addl. Sessions Judge  
2nd Court, Alipore.

Further cross-examination resumed

Generally regormortis on a deadbody commences 2 to 3 hours after the death and it takes 5/6 hours to spread all over the body and shall persist from 18 to 24 or 24 to 36 hours depending on the weather, climate, season, physique of the body etc. I found rigor mortis present all over the deadbody. In the present case I cannot say the exact time when the rigor mortis commensed on the deadbody. I got the entire history of the case as per requisition received by me. I got the history of the case relating to the accused as per requisition before I examined him. I made no enquiry as to whether the accused was married or not. Postmortem examination is usually held at Mominpur Morgue.

Not a fact that I have given opinion as desired by police for satisfying the case of the police

Orl.P.No. 66

witness is drawn to ext. 18 ).

I did not write anything in the postmortem examination report about the rape. The witness volunteers - I mentioned about the rape in reply to the queries made by police.

Dictated & corrected by me

Sd/- R.N.Kali

A.S.J.

Sd/- R.N.Kali

13.3.91.

Additional Sessions Judge  
2nd Court, Alipore.

Sd/- Dipan

GuhaRoy

13.3.91.