

Deposition of Sri Gurupada Som, S.I. of Police, witness no. 28 for the prosecution, before the Additional Sessions Judge 2nd Court, Alipore 24. Pys (s), dated 2.4.91. 17✓

CrI.P.No. 78

HIGH COURT FORM NO.(J) 1.

FORM OF HEADING OF DEPOSITION

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

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

Present :-

Deposition of witness-No. 28 for the prosecution taken on oath / solemn affirmation on the 2nd day of April 1991.

My name is Sri Gurupada Som (S.I.)

son/wife of Lt. Gopi Mohon So.

My age is 46 years. I reside at 41 S.P.M.Rd. Cal-26.

Police Station Distr'

My occupation is

I was a Sub-inspector of police attached to Bhawanipore P.S. on 5.3.90. On that day while acting as a duty officer I recorded this G.D. entry, No.514 dated 5.3.90 at about 21.15 hrs. on the basis of an information received from Nagardas Parakh of flat no.3A4 Anand Apartment at 57A and B, Padmapukur Road. The particular G.D. entry is marked ext. 32. After receiving the aforesaid information over telephone I brought the same to the notice of O.C., Bhawanipore P.S. I along with O.C. , Bhawanipore P.S. and other police personnel had been to 57 A and B, Padma pukur Road. I found an assembly of 10/15 persons near the particular apartment. We went to flat No.3A in the apartment and contacted Nagardas Parakh, the owner of the flat there.

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He led us to a room and we found that a girl with her body covered by a chaddar except her face was lying on a cot in bleeding condition. A lady sitting by her side was weeping. We were taken to the bed room of Mr. and Mrs. Parekh. We found marks of blood on the floor of that room. We found a broken chain and a cream coloured button on the floor of the said room. Some clothings and a bag and some other articles were also found. We found also a cradle inside the room. Blood-stains were found in a portion of the particular cradle. We found a steel almirah open in the southern corner of the particular room. The articles inside the almirah were found to be in disturbed condition. Thereafter Mr. Parekh took us to the drawing cum dining room of the flat. A panty in torn condition with some stains of blood and other unknown materials were found on the left hand side near the entrance to the particular drawing cum dining room. Some hairs were also found on the floor of the particular drawing cum dining room. A latch cum lock in broken condition was also found on the floor inside the said room. One screw of unknown material and one broken screw of unknown material were also found there. O.C., Thawanipore P.S. was there at the relevant point of time. Requisitions were made under orders of O.C. for the Dog Squad, the inspectors and superior authorities. The girl lying on the cot appeared to me to be dead. I took Mrs.

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I took Mrs. Parekh to the room of her son and recorded her statement. This is the statement I recorded in my own hand writing as per dictation of Smt. Jashomati Parekh. It was read over and explained to her. She admitted the same to be correct. (witness identified the document marked X for identification). The particular document is marked Ext. 2. Cognisance of the offence was taken under orders of O.C. after the aforesaid statement was recorded and thereafter investigation was commenced.

I recorded statement of Nagardas Parekh and one Dasarath Murmu who was one of the security guards in the particular apartment and was found to be at his place of duty.

Thereafter I sent for Gouranga alias Gora, a servant in an adjoining flat for identification of the broken chain found in the flat of Nagardas Parekh. Gora identified the particular chain. I also recorded the statement of Gouranga. I also recorded the statements of the lift man Kameshwar Jaday on the same day and of Panchanan Banara. I recorded statements of some other witnesses also after seizures were made.

(to be continued)

Dictated & corrected by me

Sd/- R.N.Kali
2.4.91

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

Additional Sessions Judge
2nd Court, Alipore.

Sd/- Mrs Pada Som
2.4.91.

Further examination in chief resumed

P.W. B had stated to me that accused asked him

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him to take him to 3rd floor by lift on the date of the incident. This witness had also stated to me that accused had told Murmu that he was going to Parekh Babu's flat for ringing up his office. This witness had also stated to me that he took the accused by lift to 3rd floor and that he found the accused proceeding towards the flat of Parekhbabu. This witness had also stated to me that he found Pati of security company coming towards the building and talking to M.,. This witness had also stated to me that he informed " Parekh-Maiji " when she came to the lift that accused had gone to her flat. This witness had also stated to me that he himself, Panchu and Ramesh broke open the door at the entrance of the flat. I recorded the statements of Ramesh Jadav. I requisitioned the services of a photographer from the Detective Department, Lalbazar. In my presence photographs of the place of occurrence and the dead-body had been taken. The photographs had been taken as per my direction. I held inquest over the deadbody and prepared my report in presence of witnesses. This is the inquest report prepared by me (witness identifies the document marked U for identification). It is marked ext. 12. I prepared these two seizure lists (witness identifies documents marked S and T respectively for identification) in presence of witnesses. The two seizure lists be marked Exts. 9 and 10 respectively. The articles seized under the

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Under the aforesaid seizure lists had been sealed and packed by me in presence of witnesses. The aforesaid articles were seized after the photographer took snap of these articles.

I arranged to send the deadbody of Jetal Parekh to S.S.K.M. Hospital for safe-preservation in the cooling chamber as per order of the O.C. I also recorded the statements of Shabesh Parekh and Rajib Gauvaria. I got the address of accused Dhananjoy Chatterjee from Dasarath Murmu. I searched the generator room where accused Dhananjoy Chatterjee used to live, I did not find him or any of his belongings there. I returned to police station at 2.45 O'clock at night and started Bhawanipore P.S. Case No.87 dated 6.3.90 under section 302 of the I.P.C. against accused Dhananjoy Chatterjee. By treating Ext. 2 as the F.I.R. I recorded this formal F.I.R. in my own handwriting and signature. Formal F.I.R. is marked ext. 33. I recorded the statements of P.C. Pati, and T.K. Roy on 6.3.90. On 7.3.90 I recorded the statement of Shyamal K. Saker, the owner of Security Investigation Bureau. On 6.3.90 this letter (witness identifies ext. 3) was forwarded to me by O.C., Bhawanipore P.S. as per my requisition the plain "Aker" visited the place of occurrence with me on 7.3.90, and prepared the rough sketch-map of the place of occurrence in my presence. All the ~~ext~~ articles seized by me under the two seizure lists and proved in court today had been taken by me to

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to the police station and duly kept in the malkhana by making relevant entries in the malkhana register of the police station. I made over charge of investigation of the case to the Detective Department, Lalbazar on 13.3.90.

X-examination on behalf of the accid.
Deferred.

Dictated & corrected by me

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

Sd/- R.N.Kali
3.4.91
Additional Sessions Judge
2nd Court, Alipore.

Sd/- Surupada Som
3.4.91.

Cross-examination resumed

I reached the place of occurrence for the first time on the date of incident at 9.25 P.M. I came to know about the incident after reaching the premises and before going inside the concerned flat. I did not meet any police officer down-stairs after reaching the particular premises. I did not find any police officer present when I reached the concerned flat. The police party visiting the premises comprised of myself, Officer in charge of Shwanipore P.S. and 9 constables. N.T. Karat was the concerned O.C. I entered flat no. 4 and contacted Nagardas Parekh. I recorded the statement of Tashomati Parekh at about 9.50 P.M. I did not record the time of my recording statement of Tashomati Parekh (attention of the witness is drawn to ext.2).

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I took cognizance of the case after recording the statement of Jashomati Parekh as per the order of the D.J. There was no investigation of the case prior to the recording of statement of Jashomati Parekh. I did not examine anybody by name Ganga who is the father of Gouranga whom I examined. I examined Mohanlal Modi, Mrs. Lilabati Chowhatia, Rajan Bhora, Mrs. Kalpana Gilane, Mrs. Aruna Shah, Gangadhar Raul and others. Before examining Jashomati Parekh I did not examine any of the persons whom I met down stairs after my entry in the premises. A person in khaki uniform gave me the direction of the flat of Jashomati Parekh on my enquiry after I reached the particular premises. I came to know subsequently that the particular person was named Dasarath Murmu.

P.W.3 Jashomati Parekh did not tell me that she came to know from Hetal that accused wanted her to go out with him for the purpose of taking pictures.

P.W.4 Nagardas Parekh did not tell me that Bhash used to work in his flat at the time of the incident as the part time servant.

P.W.5 Bhash Parekh did not tell me that Gora came and identified the chain as belonging to him.

P.W.6 Pratap Chandra Pati did not tell me that attempt had been made to contact the accused

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the accused through intercom of the flat of Parekh-Babu but the line was not available.

P.W.7 Dasarath Murmu did not tell me that he tried to contact the accused in flat no.3A after P.W.6 came, through intercom and that he went near the gate and called the accused by his name. Witness volunteers - This witness had stated to me that P.W.6 had asked the particular witness namely P.W.7 to call the accused and that he (P.W. 7) called him from the duty place.

P.W. 8 Ramadhar Jadav did not tell me that he found the accused in the stair-case in the 3rd floor when he took up mother of Aruna Shah by the lift. This witness did not tell me that he found the accused proceeding towards the supervisor who was standing at the place where the security guards stand for the lift when he came down by the lift after the mother of Aruna Shah got down from the 3rd floor.

Dictated & corrected by me

Sd/- R.N.Kali

A. P.

Sd/- R.N.Kali
13.4.91.

Additional Sessions Judge
Bnd Court, Alipore.

Sd/- Gurupada Son

13.4.91.