

MOOT PROPOSITION
IN THE DISTRICT & SESSION COURT

Today i.e. 22.09.2019 at 8.25 AM an intimation was received at Police Station Kavi Nagar wherein in Mr. Ajay (**PW-1**) made a call on 100 number and informed that bodies of Mr. Sanjay and his mother was found lying in flat located at 23, Kavi Nagar, Delhi. Immediately the concerned Station House Officer was informed about the said incident. The Station House Officer along with his team comprising of 2 Head Constable i.e. HC Ravinder and HC Ankit rushed to the spot without making any departure entry in the Roznamcha Register.

At 9.02 AM Station House officer reached the spot which was 3 kilometers from the police station. After carrying out preliminary inquiry it was found that flat located at 23, Kavi Nagar, Delhi belonged to Sanjay who used to stay along with his mother in the said flat. On reaching the crime scene it was found that crime scene was disturbed as few journalists entered the flat to take pictures of the deceased. The Station House Officer immediately sealed the crime scene and commenced his investigation. The Station House Officer even requested the Forensic Team and Crime Team to reach the place of incidence.

First of all, statement of Mr. Ajay was recorded wherein he claimed that he is a milk man and used to visit Sanjay's residence daily to give milk. He further informed that on the said day he reached the spot at 8.20 AM and rang the bell, but no one turned up. But when he pushed the door, he found that door was open. As he entered the room, he saw that Sanjay's body lying in the drawing room on the sofa. He further informed the police that on table next to sofa some white colored substance was lying which was having quite unique smell. He further informed that Sanjay's body had some stab injuries in the abdomen and blood had oozed from the same, thereafter he went to the adjacent room and found that Sanjay's mother body was lying on bed wherein bed sheet was soaked in blood and body had a gunshot injury on her neck. The Station House Officer requested the neighbors to inform the family members of the deceased about the said incident.

At about 10.05 AM the forensic team along with crime team headed by SI Deepak reached the place of incidence. The forensic team even tried to collect the finger print from the place of incidence and other forensic evidences. On detailed examination of white colored substance, it was found that white colored substance seemed to be cocaine. The Crime Team clicked pictures of the bodies and white colored substance. After concluding their investigation, crime team suggested for registration of case under sections 302 of Indian Penal Code, 1860, section 21, 25 27, 27(A) and 28 of The Narcotic Drugs and Psychotropic Substances Act, 1985 and section 27, 28 and 29 of Arms Act, 1959 FIR should be registered immediately. **(The Crime Scene Report is marked as A1).**

At about 10.35 AM sister of Sanjay i.e. Sakshi (PW-2) reached the place of incident and she informed the Station House Officer that Sanjay was having some family disputes with respect to property distribution with his brother Sameer and she suspected her brother's role in the said incident. After recording the statement of Sakshi, the Station House Officer sent HC Ankit to register an First Information Report and requested the Duty Officer to register a case under section 302 of Indian Penal Code, 1860, section 21, 25 27, 27(A) and 28 of The Narcotic Drugs and Psychotropic Substances Act, 1985 and section 27, 28 and 29 of Arms Act, 1959 and thereafter sent a copy of First Information Report to the Station House Officer immediately. At about 11.50 AM HC Ankit came at the crime scene and handed over a copy of First Information Report to Station House Officer.

The Station House Officer searched the crime scene collected and sealed following things from the place of incidence that are as follows: -

- (a) Blood of the deceased lying on the floor
- (b) Hairs found on floor
- (c) Piece of bed sheet on which Sanjay's mother was found lying
- (d) Piece of Sofa Cover
- (e) 5 Black Label Bottles
- (f) Mobile Phone of Sanjay- Apple I Phone 11 (Golden Color)
- (g) Earth Control
- (h) Empty cartridge (Empty Kokha) with 'SPS' budged mark having 2.3 cm length and 1.2-centimeter width.

All the seized articles were kept in one large parcel and same was sealed with the seal of Station House Officer as 'SHO'. The seizure memo was signed by HC Ankit and HC Ravinder.

(Seizure Memo dated 22.09.2020 is marked as A2 Parcel)

A separate seizure memo was prepared for the white colored substance probably cocaine. Three samples of 2 grams each were seized separately in small pullanda (parcel) which were duly sealed with the seal of Station House Officer as 'SHO' and marked as Q1, Q2, Q3. Remaining 19 grams of pullanda was sealed in a small box bearing seal of 'SHO' marked as Q4. All pulland's (parcel) were sealed, signed and dated by the station house officer. The seizure memos were even signed by HC Ankit and HC Ravinder.

(Seizure Memo dated 22.09.2020 is marked as A3 Parcel)

The Station House Officer requested neighbors to join the investigation but all of them refused to join the investigation. Station House Officer served neighbor's notice under section 100 CrPC and recorded their names in the case diary.

Thereafter, the Station House Officer went to the police station and requested his Sub-Inspector to prepare Case Diary with respect to investigation carried on 22.09.2019 and recorded the statement of other witnesses in the case. All the seized articles were deposited in the malkhana register on 23.09.2020.

On 23.09.2019 bodies were sent to the post mortem in government hospital i.e. ABC Hospital where board was constituted of 3 doctors. The Post Mortem started at 1.00 PM which was also being video graphed. After completion of the post mortem i.e. about 3.00 pm, mortal remains of the deceased were handed over to Sakshi (PW-2) but Sanjay's brother Sameer was not even present in the hospital. On the other hand, the board even handed one pullanda (parcel) to the Station House Officer in presence of HC Ravinder under the seal of 'ABC Hospital', the same are depicted as follows: -

- Clothes worn by deceased,
- blood on swabs,
- bullet found near stylohyoid muscle and
- hairs
- Viscera of abdomen including liver, pancreas and intestines

The same was taken in possession of Station House Officer and a separate seizure memo was prepared for the same which was duly signed by HC Ravinder. **(Seizure memo dated 23.09.2020 is marked as A4 parcel)**

The medical board even found Sanjay's mother having black color wound around the bullet mark. All the seized articles seized vide seizure memo dated 22.09.2020 and 23.09.2020 were deposited in the malkhana register on 23.09.2020. **(Copy of Malkhana Register is marked as A5)**

The Station House Officer summoned Sameer on 24.09.2019, wherein Sameer claimed that he was not even present in Delhi when the incident took place. He claimed that he was in Jaipur on the intervening night on 21/22.09.2019. He further showed some photographs which depicted that he was in Jaipur on the 22.09.2019. The Station House Officer even requested the Nodal Officer, Vodafone Idea to provide the Call Detail Records and Location ID Chart of Sameer. On perusal of the same reflected that Sameer was in Jaipur on the intervening night of 21& 22/09.2019. Sameer informed the Station House Officer that he was not even in touch with his brother and mother since last one year due to some family dispute. The same was even proven by the Call Detail Record of Sameer.

The detailed post-mortem report was provided to the Station House Officer on 26.09.2019, which claimed that death of Sanjay took place due to abdomen injuries and mothers death took place due to injuries on neck. The Viscera report stated that Sanjay was highly intoxicated at the time of the incident but no toxicology test was carried out. As per post mortem report time of offence/incident was about 44 hours (+ and - 6 hours) since the post mortem started on 23.09.2019. The Station House Officer sent the post mortem report for second opinion in private hospital which concluded that Sanjay death had injuries through sharp objects like knife whereas Sanjay's mother death took place through bullet injury.

The Station House Officer again went to the place of incident on 24.09.2019 along with HC Ankit and seized a knife, a rod and Gas Cylinder. Thereafter a pullanda (parcel) was prepared and all the articles were sealed with the seal of 'SHO' and HC Ankit even signed the said seizure memo and deposited in Malkhana. **(Seizure memo dated 24.09.2019 is marked as A6 parcel)**

On the same day the Station House Officer scrutinized the camera located near the place of incidence but it was found that Sanjay brother in law 'Ashu' was found strolling in the vicinity of the flat where incident took place. The Station House officer took the copy of recorded clip in his pen drive for further investigation in the said matter. The Station police officer even requested the camera owner i.e. Gopal (PW-3) to preserve the same as it could be crucial evidence for the said case. Thereafter a pullanda (parcel) of the pen drive was prepared and sealed with the seal of 'SHO' and HC Ankit even signed the said seizure memo. **(Seizure memo dated 24.09.2020 is marked as A7 parcel)**

The Station House Officer summoned Ashu on 26.09.2019 to explain the reason for his presence near the place of incidence on 21.09.2019. Ashu's call details records and location ID charts were scrutinized and it was found that Ashu even called Sanjay on his mobile number on 21.09.2019 at 7.59 PM from ABC Nagar, Delhi. On the other hand, Ashu claimed that he was staying in adjoining area and had come to 'BIKANER SWEET HOUSE' to eat something which was located next to the place of incidence. He further claimed that he even called Sanjay to come downstairs but he was heavily drunk thus he himself refrained coming to the sweet shop. Mobile Phone of Ashu (I Phone 6- Space Grey) was seized by the Station House Officer and pullanda was prepared and sealed with the seal of 'SHO'. The same was further deposited in the malkhana register. **(Seizure memo dated 26.09.2020 is marked as A8 parcel)**

On 3.10.2019, the Station House Officer vide road certificate no. 22/2019 sent all the mobile phones, seized articles to the forensic laboratory. HC Ravinder was handed over the road certificates along with all the seized pullandas. After depositing the same in the forensic laboratory HC Ravinder took the acknowledgment receipt from the forensic laboratory and handed over the same to the Station House Officer. **(Road Certificate is marked as A9 and Forensic Laboratory Acknowledgment is marked as A10)**

On 15.12.2019 forensic laboratory official's informed that mobile data with respect to the mobile phones i.e. I phone 6 and 11 was retrieved by the scientist. The Station House Officer on perusal of the mobile chats depicted that Sanjay was having drinks with Ashu on 21.09.2019 at about 9.30 PM.

On basis of these chats Ashu, a raiding team was constituted comprising of Station House Officer and HC Ravinder and HC Ankit. The station house officer made his departure entry in Roznamcha Register for the same. Ashu was apprehended by the investigating agency on

16.12.2019 at about 4.00 PM from Vijay Nagar Market where he was sitting in his BMW X1 Car bearing number DL12SA 2123. Soon after his apprehension a notice under section 50 of The Narcotic Drugs and Psychotropic Substances Act, 1985 was given to Ashu. In presence of Station House Officer Ashu signed the said notice and even wrote that he did not wish to be searched in presence of Gazetted Officer. Soon after the documentation process search of Ashu was carried out and from dashboard of BMW X1 Car bearing number DL12SA 2123 a polythene having 20 grams white colored substance probably cocaine was found. Immediately Ashu was arrested and his personal search memo was prepared.

At the place of apprehension after the arrest of Ashu Station House Officer prepared a seizure memo for the white colored substance probably cocaine. Three samples of 2 grams each were seized separately in small pullanda (parcel) which were duly sealed with the seal of Station House Officer as 'SHO' and marked as P1, P2 and P3. Remaining 14 grams of pullanda was sealed in a small box bearing seal of 'SHO' marked as P4. All pulland's (parcel) were sealed, signed and dated by the station house officer and deposited in Malkhana. **(Seizure memo dated 15.12.2019 is marked as A11 parcel)**

The Station House Officer got Ashu's medical done at ABC Government Hospital wherein there were no injury marks on his body. The concerned doctor prepared an evidence medical kit which included blood, blood on cotton swab, hairs and nails of Ashu and handed over the same to Station House Officer. The concerned officer sealed the same with the seal of SHO and prepared seizure memo and deposited the same in Malkhanna. **(Seizure memo dated 15.12.2019 is marked as A12 parcel)**

On 16.12.2019 Ashu made a disclosure statement in front of Station House Officer wherein he claimed that Sanjay was a Drug Addict and he (Ashu) used to supply him drugs. Ashu further admitted that on 22.09.2019 he went to Sanjay's house and reached his place by 7.00 PM. He further claimed that he purchased Kashmiri Apples for Sanjay's mother from the market. After reaching his residence duo sat in the drawing room and started to cut and eat apples. After some time at around about 09.00 PM we started to consumed some liquor and sniffed some cocaine which was brought by him (Ashu) at Sanjay's residence. Thereafter he adds that, he (Ashu) asked Sanjay for his pending loan amount of Rs 2 lakhs, on Sanjay's reluctance, he (Ashu) got agitated and started abusing Sanjay and his mother.

He goes on to add that in heat of passion he (Ashu) stabbed Sanjay in his abdomen with the same knife from which they were cutting apples. As Sanjay shouted for help knife fell down from his (Ashu) hand. Sanjay's mother came running from adjoining room and seeing his son fallen on floor with stab wound, she took out one iron rod lying below the sofa's and started to attack him (Ashu) with iron rod. During this moment knife got kicked and went inside the sofa. In the meantime, Sanjay's mother hit iron rod on his (Ashu) head and after that he (Ashu) started to feel daizy. In heat of moment he removed his country made pistol from his left pocket and in private defense he (Ashu) shot Sanjay's mother through his country made pistol and after that Sanjay's mother ran to the adjacent room and out of fear, he (Ashu) ran away from the house. He also disclosed that after committing the said incident he went to Gate No.2, Nehru Park and found some secluded and bushy area in the park where he (Ashu) threw his country made pistol having two live cartridges and immediately ran away from the park.

On the same day the Station House Officer went to Gopal's house (PW-3) which is located in the same vicinity where Sanjay used to reside. But Gopal informed that his DVR broke down thus all his recorded/ previous data was formatted from the disk stored in the DVR.

During the course of investigation after recording of the disclosure statement Ashu took Station House Officer along with HC Ankit to Nehru Park, Gate No. 2. Thereafter he took the investigating officers at some secluded area in park and handed over one country made pistol along with two live cartridges to the investigating officer. The same was sealed with the seal of SHO along with date and signature of Ashu and deposited in Malkhana. **(Seizure memo dated 16.12.2019 is marked as A13 parcel)**

On 18.12.2019 Ashu was taken to DDU Hospital, where his details medical examination was carried out and after completion of the same, he was sent to judicial custody. HC Ravinder on the instructions of Station House Officer deposited all the reaming case property in the forensic laboratory vide road certificate number 33/2019 and acknowledgment receipt of the same was handed over to the Station House Officer. It will not be out of place to mention that case country made pistol was sent in chemical division of the forensic laboratory but not in ballistic division. **(DDU Medical report is marked as A14.)**

On 23.12.2019 the Station House Officer submitted as details report about the said case before the concerned DCP for his sanction to prosecute Ashu under prevailing sections of Arms Act. The concerned DCP on the same day gave sanction to the prosecution agency to file charge

sheet against Ashu under relevant sections of arms act. **(Copy of sanction report by DCP is marked as A15)**

On 26.12.2019 and 01.02.2020 chemistry and biology division of forensic laboratory submitted a detailed report. **(The Copy of chemistry and biology division of forensic laboratory is marked as A16 Colly).**

On 01.02.2020 the Station House Officer files charge sheet under sections 302 of Indian Penal Code, 1860, section 21, 25 27, 27(A) and 28 of The Narcotic Drugs and Psychotropic Substances Act, 1985 and section 27, 28 and 29 of Arms Act, 1959 before the court of law.

After completion of evidences, statement of accused the said matter is listed for Final Arguments before the Session Court.

COPY OF CRIME SCENE REPORT MARKED AS A1

1. **Time of Intimation:** - 9.30 PM by the Station House Officer
2. **Time of Reaching Spot:** - 10.10 PM at the place of incidence
3. **Nature of Offence / Crime:** - Murder of 2 persons, one male and another female
4. **Articles Seized by IO:** - None
5. **Photographs Clicked:** - Yes
6. **Advise to Investigating Officer:** - To seize all the incriminating materials found in and around the crime scene. To interrogate with neighbors about the suspect in the case.
7. **Other Remarks:** - 2 bodies found at place of incidence. One found in the drawing room and other adjacent room. Foul smell coming in the room. Crime Scene disturbed as 8 journalists were inside roaming around crime scene.
8. **Time of Leaving the Crime Scene:** - 11.35 PM

SI Deepak

SEIZURE MEMO DATED 22.09.2019 MARKED AS A2

FIR No. XX/2019

PS: - Kavi Nagar

U/S: - 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

The Station House Officer in presence of HC Ravinder and HC Ankit searched and sealed following things from the place of incidence that are as follows: -

- (a) Blood of the deceased lying on the floor
- (b) Hairs found on floor
- (c) Piece of bed sheet on which Sanjay's mother was found lying
- (d) Piece of Sofa cover
- (e) 5 Black Label Bottles
- (f) Mobile Phone of Sanjay- Apple I Phone 11 (Golden Color)
- (g) Earth Control
- (h) Empty cartridges (Empty Kokha) with 'SPS' budged mark having 2.3 cm length and 1.2-centimeter width.

All the seized articles were kept in one large parcel on white color and same was sealed with the seal of 'SHO'. On the seal Station House Officer signed the pullanda.

Witness

HC Ravinder

HC Ankit

Station House Officer

22.09.2019

SEIZURE MEMO DATED 22.09.2019 MARKED AS A3

FIR No. XX/2019

PS: - Kavi Nagar

U/S: - 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF WHITE COLORED SUBSTANCE

A seizure memo is prepared for seizure of white colored substance probably cocaine. Three samples of 2 grams each are seized separately in small pullanda (parcel) which are probably cocaine on smelling.

Three samples of 2 grams each are seized separately in small pullanda (parcel) which are duly sealed with the seal of Station House Officer as 'SHO' and marked as Q1, Q2, Q3. Remaining 19 grams of pullanda is sealed in a small box bearing seal of 'SHO' marked as Q4.

All pulland's (parcel) are sealed, signed and dated by the station house officer.

Witness

HC Ravinder

HC Ankit

Station House Officer

22.09.2019

SEIZURE MEMO DATED 23.09.2019 MARKED AS A4

FIR No. XX/2019

PS: - Kavi Nagar

U/S: - 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO FROM ABC HOSPITAL

After post mortem was concluded medical board who conducted post mortem handed over a sealed pullanda (parcel) containing following things to the Station House Officer in presence of HC Ravinder under the seal of 'ABC Hospital', the same are depicted as follows: -

- Clothes worn by deceased,
- blood on swabs,
- bullet found near stylohyoid muscle and
- hairs
- Viscera of abdomen including liver, pancreas and intestines

Witness

HC Ravinder

Station House Officer

23.09.2019

COPY OF MALKHANA REGISTER MARKED AS A5

MALKHANA REGISTER

Date of Deposit	Particulars	Remarks
23.09.2020	<p>1) The Station House Officer in presence of HC Ravinder and HC Ankit searched and sealed following things from the place of incidence that are as follows: -</p> <ul style="list-style-type: none"> (a) Blood of the deceased lying on the floor (b) Hairs found on floor (c) Piece of bed sheet on which Sanjay’s mother was found lying (d) Piece of Sofa cover (e) 5 Black Label Bottles (f) Mobile Phone of Sanjay- Apple I Phone 11 (Golden Color) (g) Earth Control (h) Empty cartridges (Empty Kokha) with ‘SPS’ budged mark having 2.3 cm length and 1.2-centimeter width. <p>All the seized articles were kept in one large parcel on white color and same was sealed with the seal of ‘SHO’. On the seal Station House Officer signed the pullanda.</p> <p>2) A seizure memo is prepared for seizure of white colored substance probably cocaine. Three samples of 2 grams each are seized separately in small pullanda (parcel) which are probably cocaine on smelling.</p> <p>Three samples of 2 grams each are seized separately in small pullanda (parcel) which are duly sealed with the seal of Station House Officer as ‘SHO’ and marked as Q1, Q2, Q3. Remaining 19 grams of pullanda is sealed in a small box bearing seal of ‘SHO’ marked as Q4.</p> <p>All pulland’s (parcel) are sealed, signed and dated by the station house officer.</p> <p>3) After post mortem was concluded medical board who conducted post mortem handed over a sealed pullanda (parcel) containing following things to the Station House Officer in presence of HC Ravinder under the seal of ‘ABC Hospital’, the same are depicted as follows: -</p> <ul style="list-style-type: none"> • Clothes worn by deceased, • blood on swabs, • bullet found near stylohyoid muscle and • hairs 	<p>All articles given to HC Ravinder</p> <p>Place: - Forensic Laboratory</p> <p>Reason: - To deposit seized articles for forensic examination</p> <p>RC No. 22/2019</p> <p>Date 3.10.2019</p>

<p>24.09.2020</p>	<p>The Station House Officer went to the place of incidence i.e. 23, Kavi Nagar, Delhi along with HC Ankit and seized following things: -</p> <ul style="list-style-type: none"> • a knife having length on about 8 inches and having cutting edges on both the side • a rod having dimensions of 18 inches length and 3-inch width and • Gas Cylinder with HP mark on the same. <p>Thereafter a pullanda (parcel) was prepared and all the articles were sealed with the seal of ‘SHO’.</p>	<p>All articles given to HC Ravinder</p> <p>Place: - Forensic Laboratory Reason: - To deposit seized articles for forensic examination</p> <p>RC No. 22/2019 Date 3.10.2019</p>
<p>26.09.2020</p>	<p>Mobile Phone of Ashu (I Phone 6- Space Grey 16 GB) is kept in a plastic box and same is converted into pullanda. Thereafter, it is sealed with the seal of ‘SHO’.</p>	<p>All articles given to HC Ravinder</p> <p>Place: - Forensic Laboratory Reason: - To deposit seized articles for forensic examination</p> <p>RC No. 22/2019 Date 3.10.2019</p>
<p>15.12.2020</p>	<p>1) Station House Officer prepared a seizure memo for the white colored substance probably cocaine. Three samples of 2 grams each were seized separately in small pullanda (parcel) which were duly sealed with the seal of Station House Officer as ‘SHO’ and marked as P1, P2 and P3. Remaining 14 grams of pullanda was sealed in a small box bearing seal of ‘SHO’ marked as P4. All pulland’s (parcel) were sealed, signed and dated by the station house officer SHO.</p> <p>2) Doctor prepared a medical evidence kit which included blood, blood on cotton swab, hairs and nails of Ashu and handed over the</p>	<p>All articles given to HC Ravinder</p> <p>Place: - Forensic Laboratory Reason: - To deposit seized articles for</p>

	same to Station House Officer. The same was converted in pullanda and sealed with the seal of 'SHO'.	forensic examination RC No. 33/2019 Date 18.12.2019
16.12.2020	During the course of investigation Ashu took Station House Officer along with HC Ankit to Nehru Park, Gate No. 2. Thereafter he took to some secluded area in park and handed over one country made pistol along with 2 live cartridges which was hidden in bushes. The same was sealed in a white cloth with the seal of 'SHO'.	All articles given to HC Ravinder Place: - Forensic Laboratory Reason: - To deposit seized articles for forensic examination RC No. 33/2019 Date 18.12.2019

SEIZURE MEMO DATED 24.09.2019 MARKED AS A6

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF KNIFE, ROD AND GAS CYLINDER

The Station House Officer went to the place of incidence i.e. 23, Kavi Nagar, Delhi along with HC Ankit and seized following things: -

- knife of about 8 inches in length and having cutting edges on both the side
- a rod having dimensions of 18 inches length and 3-inch width and
- Gas Cylinder with HP mark on the same.

Thereafter a pullanda (parcel) was prepared and all the articles were sealed with the seal of 'SHO'.

Witness

HC Ankit

Station House Officer

24.09.2019

SEIZURE MEMO DATED 24.09.2019 MARKED AS A7

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF PEN DRIVE

The camera clip dated 21.09.2020 of camera 12 from 6.00 PM to 11.30 PM duly recorded in DVR vide number 19284020238 is transferred in a pen drive of MAXIMA Company of 16 GB of black color. The pen drive is kept in a parcel and sealed with the seal of 'SHO'.

Signature of Gopal

Witness

HC Ankit

Station House Officer

24.09.2019

SEIZURE MEMO DATED 26.09.2019 MARKED AS A8

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF ASHU MOBILE PHONE

Mobile Phone of Ashu (I Phone 6- Space Grey 16 GB) is kept in a plastic box and same is converted into pullanda. Thereafter, it is sealed with the seal of 'SHO'.

Signature of Ashu

Witness

HC Ravinder

HC Ankit

Station House Officer

26.09.2019

ADHIVAKTA PARISHAD, DELHI HIGH COURT UNIT



ROAD CERTIFICATE DATED 03.10.2019 VIDE NUMBER 22/2019 MARKED AS A9

Authorized To: - HC Ravinder

Date: - 3.10.2019

Place: - Forensic Laboratory

Reason: - To deposit seized articles for forensic examination

Seized Documents/ Articles to be sent: -

Date	Particulars	Remarks
3.10.2019	<ol style="list-style-type: none">1) one large parcel on white color and same was sealed with the seal of 'SHO'2) 4 pullanda (parcel) which are duly sealed with the seal of Station House Officer as 'SHO' and marked as Q1, Q2, Q3, Q4.3) One sealed pullanda (parcel) under the seal of 'ABC Hospital'4) a large pullanda (parcel) was prepared and all the articles were sealed with the seal of 'SHO'5) plastic box converted into pullanda. with the seal of 'SHO'	All articles given to HC Ravinder Place: - Forensic Laboratory Reason: - To deposit seized articles for forensic examination RC No. 22/2019 Date 3.10.2019
18.12.2019	<ol style="list-style-type: none">1) 4 pullanda (parcel) which are duly sealed with the seal of Station House Officer as 'SHO' and marked as P1, P2, P3, P4.2) Medical Evidence Kit with seal of SHO3) A white cloth with seal of SHO	All articles given to HC Ravinder Place: - Forensic Laboratory Reason: - To deposit seized articles for forensic examination chemistry and Biology Department RC No. 33/2019 Date 3.10.2019

Signature of Malkhana In charge

ACKNOWLEDGEMENT RECEIPT OF FORENSIC LABORATORY DATED

03.10.2019 MARKED AS A10

ACKNOWLEDGEMENT RECEIPT

Name of Receiver: - Anup Singh

Name who Delivered: - HC Ravinder

FSL No: - 1023/CHE/2019

Division/ Department: - Chemistry and Biology Department

Details of Documents/ Articles received: -

- 8 PARCELS RECEIVED IN TOTAL.
- 7 PARCEL RECEIVED WITH THE SEAL OF SHO AND
- ONE RECEIVED WITH SEAL OF SEAL OF ABC HOSPITALS

Signature of Receiver

SEIZURE MEMO DATED 15.12.2019 MARKED AS A11

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF WHITE COLORED SUBSTANCE

Station House Officer prepared a seizure memo for the white colored substance probably cocaine. Three samples of 2 grams each were seized separately in small pullanda (parcel) which were duly sealed with the seal of Station House Officer as 'SHO' and marked as P1, P2 and P3. Remaining 14 grams of pullanda was sealed in a small box bearing seal of 'SHO' marked as P4. All pulland's (parcel) were sealed, signed and dated by the station house officer.

Signature of Ashu

Witness

HC Ravinder

HC Ankit

Station House Officer

15.12.2019

SEIZURE MEMO DATED 15.12.2019 MARKED AS A12

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF MEDICAL EVIDENCE KIT

Doctor prepared a medical evidence kit which included blood, blood on cotton swab, hairs and nails of Ashu and handed over the same to Station House Officer. The same was converted in pullanda and sealed with the seal of 'SHO'.

Witness

HC Ravinder

HC Ankit

Station House Officer

15.12.2019

SEIZURE MEMO DATED 16.12.2019 MARKED AS A13

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

SEIZURE MEMO OF COUNTRY MADE PISTOL

During the course of investigation Ashu took Station House Officer along with HC Ankit to Nehru Park, Gate No. 2. Thereafter he took to some secluded area in park and handed over one country made pistol along with 2 live cartridges which were hidden in bushes. The same was sealed in a white cloth with the seal of 'SHO'.

Witness

HC Ravinder

HC Ankit

Signature of Ashu

Station House Officer

16.12.2019

DDU HOSPITAL MEDICAL REPORT IS MARKED AS A14

MLC No: - 9023/2019

Time: - 5.00 PM

Name: - Ashu

Date: - 16.12.2019

Brought By: - Station House Officer, Kavi Nagar

Name of Police Station: - Kavi Nagar

Age: - 34 Years

Sex: - Male

Medical Examination Report: -

- Conscious oriented
 - BP 130/80
 - Heart Beat 83 Per Minute
- Red bruises found on inner part of Right Thig with acute pain.
- No compliant of fever, nausea and vomit.
- No other injury mark found on the body.
- Patient is advised some rest and to be given following medicines for next 4 days
 - 1—1—1 Combiflam Medicine (after meal)
 - BP 130/80
 - HB 83 Per Minute

Signature of CMO,

DDU Hospital

SANCTION REPORT BY DCP MARKED AS A15

SANCTION ORDER/CIRCULAR

Today, i.e. 23.12.2019 the Station House Officer has brought case file with respect to case registered as Kavi Nagar police station vide FIR No. xx/2019, under section 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act.

On perusal of the same it can be noted that an empty cartridge was found at the place of incidence on 22.09.2019, which was duly sealed and deposited in Malkhana. After the arrest of accused Ashu his disclosure statement was recorded by the Station House Officer on 16.12.2019. In his disclosure statement Ashu disclosed after the incident he threw his country made pistol at some secluded area near Nehru Park, Delhi near gate no.2.

The Station House Officer in presence of Ashu went to Nehru park and seized a country made pistol having two live cartridges in the same. The country made pistol along with live cartridges were sealed with seal of SHO and further deposited in Malkhana.

On perusal of the records it can be seen that their direct link between the empty cartridge found at the place of incidence and recovery made at the instance of Ashu from Nehru Park. After applying my mind, I grant sanction to prosecute accused Ashu for offences under Arms Act, 1959.

Date: - 23.12.2019

Sh. Ankur Jain
(DCP, SOUTH DISTRICT,
DELHI POLICE)

REPORT OF CHEMISTRY AND BIOLOGY DIVISION OF**FORENSIC LABORATORY MARKED AS (A16 COLLY)****FORENSIC LABORATORY REPORT****REPORT WITH RESPECT TO SEIZURES MARKED AS MARK A3 AND A11****NAME OF THE SCIENTIST: - DR. ANUP SINGH****DATE OF EXAMINATION: - 24.12.2019****DATE OF ANALYSIS: - 25.12.2019****DIVISION DEPARTMENT: - CHEMISTRY DEPT**

Mark Number	Quantity	Seal at the Time of opening of Parcel	Chemical Name and Percentage
Q1	2 Grams	SHO	Cocaine but no percentage mentioned
Q2	2 Grams	SHO	Cocaine but no percentage mentioned
Q3	2 Grams	SHO	Cocaine but no percentage mentioned
Q4	19 Grams	Sho	Cocaine with 17.5 percentage purity
P1	2 Grams	SHO	Cocaine but no percentage mentioned
P2	2 Grams	SHO	Cocaine but no percentage mentioned
P3	2 Grams	SHO	Cocaine but no percentage mentioned
P4	14 Grams	Sho	Cocaine with 18.5 percentage purity

Conclusion and Analysis: -

Confirmatory testing was undertaken by me and after following various procedures and guidelines I have come to the conclusion that white colored substance is Cocaine.

Dr. Anoop Singh

Chemistry Dept Scientist

26.12.2019

**REPORT WITH RESPECT TO SEIZURES MARKED AS MARK A2, A3, A4, A6,
A11, A12, A13 AND A14**

NAME OF THE SCIENTIST: - DR. RISHABH SHAH

DATE OF EXAMINATION: - 24.12.2019

DATE OF ANALYSIS: - 25.12.2019

DIVISION DEPARTMENT: - BIOLOGY DEPT

Particulars	Ashu	Sanjay	Sanjay Mother
Finger Prints on Knife, Gas Cylinder, and Rod	NA	NOT TESTED	NOT TESTED
Finger Prints on Country made pistol	YES	NOT TESTED	NOT TESTED
Blood in Drawing Room and on clothes of Sanjay	NO RESULT	YES	NOT RESTED
Blood in Room next to drawing room and on clothes of Sanjay's Mother	NO	NOT TESTED	YES
Blood on Knife, Gas Cylinder and Rod	NOT TESTED	YES, ON KNIFE	NOT FOUND
Blood on Bullet recovered from Mother's body	NO	NO	YES
Hairs found at place of incidence	YES	YES	YES
Blood on Earth Control from Place of Incidence	NO	YES	YES
Blood on piece of Sofa	NO	YES	NO
Blood on piece of Bed Sheet	NO	NO	YES

Conclusion and Analysis: -

Finger print could not be found of Ashu on Knife, Gas Cylinder and Rod on the other hand his finger print were found on country made pistol. Blood of Ashu was not found on any of the seized articles and even the place of incidence. But Ashu's hair were found at the place of incidence.

Dr. Rishabh Shah

Biology Dept Scientist

26.12.2019

DISCLOSURE STATEMENT OF ASHU DATED 16.12.2019

FIR No. XX/2019

PS:- Kavi Nagar

U/S:- 302 IPC, 21, 25 27, 27(A), 28 of NDPS and section 27, 28 and 29 of Arms Act

DISCLOSURE STATEMENT

On 16.12.2019 Ashu without any force and coercion made a disclosure statement in front of Station House Officer wherein he has claimed as under: -

“That Sanjay was a drug addict and I used to supply him drugs. On 22.09.2019 I went Sanjay’s house and reached his place of residence by 7.00 PM. Before going to his house, I had purchased Kashmiri Apples for Sanjay’s mother from the market. After reaching his residence I along with Sanjay sat in the drawing room and started to cut and eat apples. After some time at around about 09.00 PM we started to consumed some liquor and sniffed some cocaine which I had brought at Sanjay’s residence. Thereafter I asked Sanjay for his pending loan amount of Rs 2 lakhs, on seeing Sanjay’s reluctance, I got agitated and started abusing Sanjay and his mother.

In heat of passion I stabbed Sanjay in his abdomen with the same knife from which we were cutting apples. As Sanjay shouted for help knife fell down from my hand. Sanjay’s mother came running from adjoining room and seeing his son fallen on floor with stab wound, she took out one iron rod lying below the sofa’s and started to attack me with iron rod. During this moment knife got kicked and went inside the sofa. In the meantime, Sanjay’s mother hit iron rod on my head and after that I started to feel daisy. In heat of moment I removed my country

made pistol from my left pocket and in private defense I shot Sanjay's mother through my country made pistol and after that Sanjay's mother ran to the adjacent room and out of fear I ran away from the house. After committing the said incident I went to Gate No.2, Nehru Park and found some secluded and bushy area in the park where I threw my country made pistol having two live cartridges and immediately ran away from the park and I can show you where the country made pistol is hidden.

Witness

HC Ravinder

HC Ankit

Signature of Ashu

Station House Officer

16.12.2019

STATEMENT OF PROSECUTION WITNESSES

- **PW-1 MR. AJAY:** - On 22.09.2019 I called on 100 number of Delhi Police from my mobile phone number 98989821349. I am a milk man, on 22.09.2019 I reached Sanjay's residence by 8.20-8.25 AM and rang the bell. But as no one opened the door I pushed the door and saw that Sanjay's body was lying on the Sofa, wherein blood oozed from his abdomen and some white colored substance was lying on table, which was placed next to sofa. The white colored substance had unique smell. I called for Sanjay's mother but no one came in front I went to the adjoining room and saw Sanjay's mother body was lying on bed with injury on her neck. Bed Sheet was oozed in blood. After being seeing this I called on 100 number of Delhi Police. The investigating team reached the spot at about 9.30 PM.
- **PW-2 MS SAKSHI:** - On 22.09.2019 Sanjay's neighbors informed us about the said incident. I reached the spot at about 10.35 PM wherein I saw my brother's body was lying in drawing room and mother body was lying on bed in adjacent room. There were about 10-15 people inside our house. I believe this is a case of murder and personal revenge. I feel that its my brother Sameer who has done this heinous Offence. As my brother Sameer was not having cordial relationship with our family. The relationship got sore in 2019 (July) when my mother did not give Sameer any family property. He had even threatened to kill our family if he is not given share in family property. There are 2 criminal cases pending against Sameer.
- **PW-3 MR GOPAL:** - My house is about 300-350 meters from the house where Sanjay used to reside. Few of my cameras are facing the main road of our locality which has many passersby. The investigating officer came to my house and requested to show me the video clip of my camera. After few hours of careful examination investigating officer copied certain part of video clipping in his pen drive. He further requested me not to delete the said video clipping. After few days investigating officer came to my residence to seize my DVR. But today I have informed him that the said video clipping got deleted as my whole DVR system got formatted.