

4TH NUSRL NATIONAL TRIAL ADVOCACY COMPETITION, 2019

NATIONAL UNIVERSITY OF STUDY AND RESEARCH IN LAW, RANCHI

SEPTEMBER 13, 2019 TO SEPTEMBER 15, 2019

KNOWLEDGE PARTNERS



MOOT PROBLEM

HOSTED BY:

THE MOOT COURT COMMITTEE,

NATIONAL UNIVERSITY OF STUDY AND RESEARCH IN LAW, RANCHI

This problem has been drafted under the guidance and supervision of the Chambers of Indrajit Sinha, Advocate assisted by Mr. Vipul Poddar, Advocate, Jharkhand High Court.

We are thankful for their association with this competition by lending their expertise in framing this proposition.

Any attempt to contact him or anybody from his office relating to this Moot Problem shall result in immediate disqualification.

Sr. No.	List of Exhibits	Page No.
1.	Exhibit 1 - F.I.R Report	5
2.	Exhibit 2 - Charge Sheet	11
<u>3.</u>	Exhibit 3 – Annexures to Chargesheet	26
<u>4.</u>	Exhibit 3A – Sanction order under section 196 CrPC	26
<u>5.</u>	Exhibit 3B – Sanction order under Explosive Substances Act	27
<u>6.</u>	Exhibit 3C - Sanction order under Unlawful Activities Prevention Act	29
<u>7.</u>	Exhibit 4 – Statement of Prosecution Witnesses under Section 161 CrPC	30
<u>8.</u>	Exhibit 5 – Autopsy Report	40
<u>9.</u>	Exhibit 6 – Spot Panchanama	51
<u>10</u>	Exhibit 7 – Ballistic Report	53
<u>11</u>	Exhibit 8 – Explosion Report	55
<u>12</u>	Exhibit 9 – Notification under Section 3 of Unlawful Acitivities (Prevention) Act	56

<u>13</u>	Exhibit 10 – Arrest Memo	57
<u>14</u>	Exhibit 11 – Antecedent Certificate	63
<u>15</u>	Exhibit 12 – Finger Print Report	65
<u>16</u>	Exhibit – 13 Section 65B Certificate	66
<u>17</u>	Exhibit – 14 Map of the Crime Scene and Explosion Scene	67
<u>18</u>	Exhibit – 15 Photographs of Crime Scene	68
<u>19</u>	Exhibit – 16 Photographs of Explosion Site	70
	List of Appendix	Page No.
	Statement of Defence Witnesses	72

Sr. No.	List of Witnesses	Page no.
1.	Hukum Singh (Home Minister, Government of Indiana)	30
2.	Swarnima Sehgal (Common Friend of Tejas And Vasundhara)	31
3.	Hemant Kumar - (Driver Of Veerbhadra)	32
4.	Inspector Ramesh Srivastava	33
5.	NIA S.P Prakash Gaitonde	34

6.	Mr. Angelo Gonsalves,	35
7.	Dr. Gurpreet Singh Mann (Medical Expert)	36
8.	Dr. Angelica Martinenz – Ballistics & Explosive Expert	37
9.	Mr. Tejas– Accused-1	72
10.	Veeerbhadra Singh Waghela -Accused No. 2 - (Father Of Vasundhara)	75
11.	Ramadhir Singh -Accused No. 3 (Leader Of Satyashodhak Krantikari Sanghatan)	78
12.	Guddu Singh	79
13.	Navneet Pandey	80

EXHIBIT – 1

FIRST INFORMATION REPORT

(Under Section 154 of CrPC)

Ref. No.: 124554

1. *District: Movatrabad *Year: 2016 *FIR No.: RC- 01/2016/NIA/MVB *Date: 16/07/16
2. (i) *Act : Indian Penal Code, 1860 *Sections: 302, 307, 124A
(ii) *Act : Unlawful Activities (Prevention) Act, 1967 *Sections: 10, 11, 1
(iii) *Other Acts & Sections Explosive Substances Act; Sec. 3 r/w 6; Arms Act: Sec 25.
3. (a) *Occurrence of Offence: Ponchikipur *Day: Friday *Date from: 15/07/16
*Date to: 15/07/16 *Time period: *Time from: 9: 40 a.m. *Time to: 10:00 a.m.
(b) *Information received at P.S.: Pochinkipur *Date: 15/07/16 *Time: 10:00 a.m.
(c) *General Diary Reference: *Entry No.: *Time:
4. Type of Information ~~Written~~/ Oral: Oral Complaint
5. Place of Occurrence: (a) Direction and Distance from P.S.: South-West, 5 Kms (approx.)
from the Police Station Beat No.:
13B
(b) Address: Azad Chowk, Ponchikipur
(c) In case, outside the limit of this Police Station, then
Name of P.S.: District:
6. Complainant/ Informant:
(a) Name Guddu Singh (b) Father's/ Husband's Name Mr. Hari lal
(c) Date/ Year of Birth 05/03/1993 (d) Nationality Indianan
(e) Passport No.

Date of Issue Place of Issue

(f) Occupation Shop Owner (g) Address 4 Temple Street, Azad Chowk, Ponchinkipur – 4

7. Details of known/suspected/unknown accused with full particulars (Attach separate sheet, if necessary)

1. Tejas

2. Veerbhadra Singh Waghela

3. Ramadhir Singh

4. Natra Singh

5. Banwari Lal

Attachment to item 7 of First Information Report

Physical features, deformities and other details of the suspect/ accused: (If known/ seen)

Serial No.	Sex	Date/ Year of Birth	Build	Height (cms)	Complexion	Identification Marks
1.	2.	3.	4.	5.	6.	7.
1.	Male	01/04/1990	Well build; Medium	169 cms	Fair	

Deformities	Teeth	Hair	Eyes	Habit(s)	Dress
8.	9.	10.	11.	12.	13.
		Black	Brown		Brown and Black Checked shirt and Blue jeans

Language	Place of				
	Burn Mark	Leucoderma	Mole	Scar	Tattoo
14.	15.	16.	17.	18.	19.
English, Hindi and Tamil					

These fields will be entered only if informant gives any one or more particulars about the suspect/ accused.

Physical features, deformities and other details of the suspect/ accused: (If known/ seen)

Serial No.	Sex	Date/ Year of Birth	Build	Height (cms)	Complexion	Identification Marks
1.	2.	3.	4.	5.	6.	7.

2.	Male	10/09/1950	Well build, medium	180 cms	Brown Tan	
----	------	------------	-----------------------	---------	-----------	--

Deformities	Teeth	Hair	Eyes	Habit(s)	Dress
8.	9.	10.	11.	12.	13.
		Black	Brown		White T-shirt and Navy Blue Pant

8.

Language	Place of				
	Burn Mark	Leucoderma	Mole	Scar	Tattoo
14.	15.	16.	17.	18.	19.
English and Hindi					

These fields will be entered only if informant gives any one or more particulars about the suspect/ accused.

Serial No.	Sex	Date/ Year of Birth	Build	Height (cms)	Complexion	Identification Marks					
1.	2.	3.	4.	5.	6.	7.					
1.	Male	01/04/1990	Well build; medium	171 cms	dark	/					
Deformities	Teeth		Hair		Eyes			Habit(s)	Dress		
8.		9.		10.			11.		12.		13.
/		/		Brown		Brown		/		Brown and violet Checked shirt and Blue Pant	

Language	Place of				
	Burn Mark	Leucoderma	Mole	Scar	Tattoo
14.	15.	16.	17.	18.	19.
English, Hindi and Tamil	/	/	/	/	/

These fields will be entered only if informant gives any one or more particulars about the suspect/ accused.

9. Reasons for delay in reporting by the complainant/ informant.....

10. Particulars of properties stolen (attach separate sheet, if necessary).....

11. Total value of the property stolen:

12. Inquest Report/ U.D. Case No./ if any.....

13. F.I.R Contents (attach separate sheet, if required)

Veerbhadra Singh fired a gun shot on Tejas who was delivering a speech against the government. Tejas was involved in other unlawful activities found in the preliminary investigation. A explosion took place within a radius of 500 mtrs from the crime scene, two bodies were found one dead on the spot and the other was severely injured.

14. Action taken/ Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2:

✓ (1) Registered the case and took up the investigation: SP Prakash Gaitonde has taken up the Investigation.; or

(2) Directed Sh./ Smt. / Km. (Name of I.O.).....

No. 123 to take up the Investigation or

(3) Refused investigation due to.....

or

(4) Transferred to P.S.....District.....on point of jurisdiction.

F.I.R. read over to the complainant/ informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

R.O.A.C.

Sd/-

Signature of Officer In-Charge, NIA

Name: Prakash Gaitonde

Rank: Superintendent of Police

15. Signature/ Thumb Impression Name:

Sd/-

(Complainant/ Informant)

Guddu Singh

Date and time of dispatch to the court..... at 5:30 pm, 20 July 2016.....

EXHIBIT – 2

**NATIONAL INVESTIGATION AGENCY,
MINISTRY OF HOME AFFAIRS,
GOVERNMENT OF INDIANA,
MOVATRABAD BRANCH.**

**BEFORE THE HONOURABLE SPECIAL JUDGE FOR NIA CASES,
MOVATRABAD
(THE COURT OF IVTH ADDITIONAL METROPOLITAN SESSIONS JUDGE)
(MOVATRABAD)**

CHARGE SHEET

(Under Section 173 (2) (i) Cr. P. C)

STATE

V/s

TEJAS (A-1)

MAJOR VEERBHADRA SINGH WAGHELA (A-2)

RAMADHIR SINGH (A-3)

1.	Name of the Branch	:	National Investigation Agency, Movatrabad
	FIR No.	:	RC- 01/2016/NIA/MVB
	Year	:	2016
	Date	:	16.07.2016
2.	Final Report/ Charge Sheet No.	:	Charge Sheet No. 1
3	Date	:	22.01.2019
4	Sections of Law (As per FIR)	:	u/s 124A, 307, 302 IPC, 4 & 6 of explosive substances Act And 10,

			11, 13 of Unlawful activities (Prevention) Act 1967, 25 of arms Act.
5	Type of Final Report	:	Charge Sheet against A-1 to A-3
6	If Final Report un-occurred/ False Mistake of fact/Mistake of law Non Cognizable Civil Nature	:	Not Applicable
7	If charge sheeted: Original/ Supplementary	:	Original
8	Name of Investigating Officers	:	Prakash Gaitonde, SP, NIA, Movatrabad
9	Names of the Complainants/ Informants	:	-
10	Details of properties/ Articles/ Documents Recovered/ seized during investigation and relied upon	:	As Annexure A

11. PARTICULARS OF ACCUSED PERSONS CITED IN THIS CHARGE SHEET:

1) Tejas

1.	Name	:	Tejas
2.	Whether verified	:	Yes
3.	Age/ DOB	:	Age 26/2019 years
4.	Father's Name	:	-
5.	Sex	:	Male
6.	Nationality	:	Indianan
7.	Passport details	:	-
8.	Occupation	:	Student
9.	Address (present)	:	Movatrabad, Magadh Pradesh
10.	Address (permanent)	:	Ambikapur, Awadh Pradesh.
11.	Whether verified	:	Yes, as per identity provided
12.	Provisional Criminal No.	:	N0ot applicable
13.	Regular Criminal No. (If known)	:	Yes
14.	Date of arrest	:	Arrested on 12.12.2018
15.	Date of release on bail	:	Not Applicable
16.	Under Act and Sections (of charge sheet)	:	1) u/s 10, 11 and 13 of the UA (P) Act 1967 2) u/s 124A of the IPC 1860.
17.	Name(s) of bailer/sureties and Address	:	Not Applicable
18.	Previous Cases	:	Nil

19.	Previous convictions with case Reference	:	Not Known
20.	Status of accused	:	At present in judicial custody at Central Prison, Chinchula, Movatrabad.

2) Retd. Major Veerbhadra Singh Waghela s/o Shri Sukhwinder Singh Waghela,

1.	Name	:	Veerbhadra Singh Waghela
2.	Whether verified	:	Yes
3.	Age/ DOB	:	Age 65/2019 Years
4.	Father's Name	:	Late Shri Sukhwinder Singh Waghela,
5.	Sex	:	Male
6.	Nationality	:	Indianan
7.	Passport details	:	-
8.	Occupation	:	Retrd officer
9.	Address (present)	:	House No. 3, Waghela Niwas, Sri Ram Colony, Tunti, Amanabad, Magadh Pradesh.
10.	Address (permanent)	:	Same as above
11.	Whether verified	:	Yes, as per indentiy provided
12.	Provisional Criminal No.	:	Not applicable
13.	Regular Criminal No. (If known)	:	Yes
14.	Date of arrest	:	Arrested on 23.01.2019
15.	Date of release on bail	:	Not applicable
16.	Under Act and Sections (of charge sheet)	:	1) u/s 307 r/w 34 of IPC, 1860
17.	Name(s) of bailer/sureties and Address	:	Not applicable
18.	Previous Cases	:	Nil
19.	Previous convictions with case Reference	:	Not known
20.	Status of accused	:	At present in judicial custody at Central Prison, Chinchula, Movatrabad

3) Ramadhir Singh s/o Shri Lallan Singh,

1.	Name	:	Ramadhir Singh
2.	Whether verified	:	Yes
3.	Age/ DOB	:	45
4.	Father's Name	:	Shri Lallan Singh
5.	Sex	:	Male
6.	Nationality	:	Indianan
7.	Passport details	:	-
8.	Occupation	:	Social Activist
9.	Address (present)	:	Ooncha Tila, Raghuram Road, Babudangal, Amanabad, Magadh Pradesh.
10.	Address (permanent)	:	Same as above
11.	Whether verified	:	Yes, as per identity provided
12.	Provisional Criminal No.	:	Not applicable
13.	Regular Criminal No. (If known)	:	Yes
14.	Date of arrest	:	Arrested on 26.01.2019
15.	Date of release on bail	:	Not applicable
16.	Under Act and Sections (of charge sheet)	:	1) u/s 10, 11 & 13 of UA (P) Act, 1967 2) u/s 3 r/w 6 of Explosive Substances Act 1908 3) u/s 302 r/w section 34 of IPC.
17.	Name(s) of bailer/sureties and Address	:	Not applicable
18.	Previous Cases	:	Nil
19.	Previous convictions with case Reference	:	Not Known
20.	Status of accused	:	At present in judicial custody at Central Prison, Chinchula, Movatrabad

12. PARTICULARS OF THE ACCUSED PERSONS AGAINST WHOM INVESTIGATION PENDING U/S 173(8) CRPC:

Sl.	Name and Particulars	Status
1.	Natra Singh	Absconding
2.	Banwari Lal	Absconding

13. (i) Particulars of Witnesses examined -
(ii) List of Articles :

14. If FIR is false, action taken : Not Applicable
15. Result of Laboratory Analysis : -

16. BRIEF FACTS OF THE CASE:

- 16.1 On receipt of credible information that Ramadhir Singh (A-3), resident of Amanabad, Tejas (A-1), resident of Daulatabad, both from Magadh Pradesh have involved in brought and attempted to bring hatred towards the government of Indiana. A-3 has been involved in collecting weapons and explosive materials and used it to target army personnel car. Retrd Major Veerbhadra Singh Waghela (A-2) has been accused attempt to murder of A-1.
- 16.2 The information further indicated that all the above accused have acquired weapons and explosive materials to carry out violent unlawful activities and related subversive activities. A-1 and A-3 are in constant touch with one another over the telecom. Information has also been received that both the individuals one being an active member and another being a leader of an unlawful association named Satyashodhak Krantikari Sangathan (SKS), which has been declared unlawful vide notification dated 05/06/2016, under section 3 of Unlawful activities (Prevention) Act 1967. The above-mentioned individuals have been previously involved in execution various unlawful activities.
- 16.3 In view of the gravity of the offence, the Central government in exercise of its powers under section 6(5) r/w 8 of the NIA Act, 2008 vide order F. No. 111/17/2016-IS.IV, dated 19/07/2016 of the Ministry of Home Affairs, directed the NIA to investigate this case. Accordingly, the NIA registered the FIR No. RC- 01/2016/NIA/MVB and filed the same before the Hon'ble special Court for NIA cases Movatrabad on 20/07/2016.

16.4 During Investigation role of another accused came to light. Retd. Major Veerbharadra Singh Waghela who has been accused of section 307 for the attempt to murder the accused No. 1 Tejas. It has been informed that he was present at the site of campaign and had an altercation with Tejas.

17. FACTS DISCLOSED DURING THE INVESTIGATION:

17.1 The investigation so far conducted by the NIA has revealed that there was an attempt to carry out unlawful activities and to bring hatred towards the government of Indiana.

17.2 Investigation has established that Tejas was involved in propagating anti governmental ideologies through his campaigns and initiatives undertaken under the guidance of SKS. He was involved in the conferences and meetings of SKS conducted for carrying out anti governmental practices.

17.3 On 2nd May 2016, Tejas and his accomplices were caught in Dholakpur addressing a public gathering and raising anti national slogans and remarks, the prominent one being “Indiana not being a country worth living and country of intolerants”. Information provided to us revealed that they were carrying out unauthorized campaigns in the area. The local Police immediately reached and arrested the concerned individuals and Tejas. An FIR, No. RC- 45/2016/DLP was lodged against Tejas and his team for the offence of unlawful assembly under section 141 of the Indian Penal Code 1860. Soon the FIR was withdrawn due orders from the Home minister’s department. It was found one of the individuals had contacts with higher authorities.

17.4 The news soon floated in the media and the organization SKS came into limelight. Such Popularity made the fund raising for SKS an easier task. They were found to have established contacts with other organization and with their help they siphoned off money

from rich individuals in the area. They increased their activities with the funds created. They engaged in assisting Naxalite groups by providing them funds and new recruits from the local villages who were in dire need of money. The information was received by the government who in order to restrict the activities of SKS issued a notification dated: 05/06/2016 (Annexure A) under section 3 of Unlawful Activities Prevention act declaring SKS as an unlawful association and also imposed sanctions on the funding received by SKS under section 7 of above Act.

- 17.5 It was found that after the sanctions and restrictions on SKS, their activities slowed down and after few weeks they stopped funding their members who were carrying out activities for the organization at various places around Indiana including Tejas. This step enraged Tejas and the organization encouraged him to conduct protests against the government order.
- 17.6 Tejas organized a protest with other members of SKS in the village Pochkipur which was nearby to the residence of the Hukum Singh, Hon'ble Home minister, Govt of Indiana. Credible information was received that a series of campaigns were to be conducted by Tejas and his team members against the government creating unrest among the public and a mass rally was also to be conducted with the similar propaganda.
- 17.7 Major Veerbhadra Singh (A-2) was present at Home minister's residence with his daughter for attending a function. Information has been received that Veerbhadra after being intoxicated got enraged and decided to murder Tejas. When his daughter came to know about the intentions of his father, she immediately informed Tejas.
- 17.8 The investigation has established that Vasundhara informed Tejas that his father was coming to kill him and upon receiving such information, Tejas called up Ramadhir Singh (A-3), leader of SKS about intentions of the Veerbhadra. Ramadhir Singh informed that Tejas should focus on the mass rally and his men will take care of the

Veerbhadra before he reaches Tejas. Ramadhir Singh then ordered his two men Natra Singh and Banwari lal (absconders) who were ordered to blast Veerbhadra's car before it reaches to the camp site.

17.9 On 15th July 2016 at around 9.40 Tejas and other members of SKS were preparing for the mass rally that was to be organized the next day. They had also organized public gathering sensitizing the local villagers against government and gain support for their propaganda. Investigation has established that Veerbhadra arrived at the spot of camp and public gathering with his Pistol. It is found that Tejas was giving a provocative speech with slogans and remarks to bring hatred and contempt towards government and Indiana and was also persuading the public to support his agenda. This enraged Veerbhadra and he took out his gun and fired at Tejas. Medical Evidences has established that bullet passed his ear and due to its sound, he fell unconscious. This created a major commotion in the area and in that commotion, someone threw a stone at Veerbhadra and he fell down unconscious. On the other side of the site Natra Singh and Banwari lal reached a place 200 m away from the camp site where they could clearly see veerbhadra's car approaching. The two fired an RPG after hearing a gunshot nearby, the RPG hit veerbhadra's car which was carrying veerbhadra's daughter Vasundhara.

17.10 During the initial investigation it was revealed that within an interval of 10 seconds from the gun shot an explosion was heard 500 m away from the camp site. It was found that an RPG was fired at a car which exploded within seconds of its contact. There were two persons in the car, Vasundhara, who died on spot and Driver who was severely injured in the explosion.

18. EXPERTS EXAMINATION/ANALYSIS AND OPINION: -

- 18.1 **Opinion of Explosive Expert:** The expert report has confirmed that the presence of nitroglycerin and cyclotrimethylenetrinitramine recovered from the explosion site and has opined that nitroglycerin and cyclotrimethylenetrinitramine are the explosive mixtures found in the warhead of an Single-stage HEAT RPG. Remains of Molten copper also indicate the same.
- 18.2 **Opinion of Ballistic Expert:** The ballistic Expert report opines that the Colt M1911A1 Pistol is in a working condition and is a firearm as defined in the Arms Act. One 357 Magnum Shell and Six 357 Magnum Bullets seized from come under the purview of the Arms Act. It is opined that such pistol is generally provide to officials of Government of Indiana.
- 18.3 **Technical Evidence:** The technical evidence in the form of Call detail analysis of the mobile phones belonging to the accused persons has been collected. The contents of the mobile phones seized from the accused persons. also show the numbers of accused persons stored in their phone books, thereby establishing their association. The tower locations of their mobiles, from their call records, and transcripts on important dates, establish their plans relating various campaigns and protests.

19. CHARGE:

- 19.1 **Accused (A-1): Tejas :** The statement of witnesses show that Tejas was actively involved in raising anti national remarks and protests against the government. Investigation has established that he was active part of the SKS which was declared to be an unlawful association.
- 19.2 An FIR was lodged on 2nd May 2016 against Tejas and his team u/s 141 of IPC for the offence of unlawful assembly. The statements show that Tejas was engaged in a proactive speech which involved blatant remarks against the country.

- 19.3 Even after SKS being declared unlawful association, Tejas was engaged in campaigns and dealing with the funds of SKS and acted as its member taking part in various unlawful activities committed by the organization.
- 19.4 Tejas had organized public gatherings for gaining support for the Rallies organized for SKS and it is established that he is in constant touch with the leader of the organization. The investigation has established in the public gathering he was making anti national remarks while criticizing the government.
- 19.5 Hence, evidence collected conclusively establishes the Tejas (A-1) was involved in seditious and unlawful activities conducted under the guidance of an unlawful association.
- 19.6 Hence on the basis of the above investigation it is recommended that **Tejas (A-1) be charged for offences committed under section 10, 11 & 13 of Unlawful Activities (Prevention) Act, 1967, section 124A of IPC 1860.**
- 19.7 **Accused (A-2): Retrd Major Veerbhadra Singh Waghela:** Veerbhadra Singh being a retired major from the Indian Army was sensitive towards his ideologies towards the nation. It is established in the investigation that he was unhappy with his daughter having contacts with radical groups. He was also enraged at the fact that his daughter was in relation with Tejas (A-1) involved in unlawful activities.
- 19.8 On 2nd May 2016 he, through his contact with the Home minister withdrew an FIR filed against his daughter along with Tejas and his team members. During the investigation it was found that he was against the campaigns and initiatives taken up by Tejas and had warned his daughter to stay away from him.
- 19.9 He had received the information that SKS was declared an unlawful association but still Tejas was conducting campaigns and protests against the government on the orders of SKS.

- 19.10 On 15th July 2016 he visited the home minister's residence wherein he was informed by the home minister himself that a mass rally and series of protests were going to be conducted the next day. To which Vasundhara added that Tejas and his teammates were the one who were conducting the rallies. Veerbhadra was shocked to know that his daughter was still in contact with Tejas, this enraged him and he had an altercation with his daughter.
- 19.11 Through the transcripts submitted establishes that Vasundhara was worried that her father was going to confront Tejas and he was heavily intoxicated. He was also enraged on Tejas. The statements of witnesses show that he took a motorbike and home minister's gun and travelled towards Tejas with the intention to kill him.
- 19.12 He reached the camp site where he found Tejas delivering a speech wherein he made several anti-national remarks and comments. This enraged Veerbhadra and he took out his service Pistol and fired at Tejas who fell down unconscious.
- 19.13 Hence, evidence collected conclusively establishes that bullet was fired by Veerbhadra Singh (Accused No. 2) from a pistol with Veerbhadra's Fingerprints on it on Tejas (Accused No. 1) with the intention to kill him.
- 19.14 Hence on the basis of the above investigation it is recommended that **Veerbhadra Singh (A-2) be charged for offences committed u/s 307 of the IPC 1860.**
- 19.15 **Accused (A-3) : Ramadhir Singh :** Ramadhir Singh is the leader of SKS which was declared an unlawful association due to its involvement in various unlawful activities. The investigation establishes that the organisation had received a large amount of funds in view of his popularity due to withdrawal of FIR by the Home ministry lodged against Tejas and his teammates campaigning for SKS itself.
- 19.16 The funds increased the activities of SKS who were involved in assisting the Naxalites. Taking into account such activities the government passed a notification declaring SKS

to be unlawful and imposing sanctions upon its funding. The investigation establishes that he deliberately stopped the funding of his members including Tejas and also encouraged him to conduct campaigns and protests against the government for SKS being declared unlawful.

19.17 On 15th July 2016 he had sent Tejas to organize and mass rally against the government. The investigation establishes that he was involved in dealing with explosives and was coordinating with his other members regarding the same. At around 9.30 he received a call from Tejas who said that Veerbhadra was going to kill him and he was coming to the camp site. He asked Tejas to prepare for the rally and said that he would take care of Veerbhadra. In order abstain Veerbhadra and stop his involvement in their activities he decided to kill him.

19.18 Information was received that he ordered his two men Natra Singh and Banwari lal (absconders) to destroy Veerbhadra's car on the way to the camp site. He provided them with an RPG to blast the car.

19.19 Hence the evidences conclusively establish that an RPG was fired on the orders of Ramadhir Singh (Accused No.3) on Veerbhadra's car which caused the death of Vasundhara.

19.20 Hence on the basis of the above investigation it is recommended that **Ramadhir Singh (A-2) be charged for offences committed u/s 10, 11 & 13 of Unlawful Activities (Prevention) Act, 1967, u/s 3 r/w 6 of explosive substances Act 1908 & section 302 r/w section 34 of IPC.**

19.21 The Sanction of Prosecution for prosecuting the accused in exercise of the powers conferred under Section 45(1) of the Unlawful Activities (prevention) Act, 1967, (as amended) has been accorded by the Government of India, vide order No 213/4/25/2018-ISJV Ministry of Home Affairs, Internal Security-I Division, dated

21/12/2016, against **1. Tejas (A-1), 2. Ramadhir Singh (A-3)**. The original Sanction order has been produced herewith.

19.22 The Sanction of Prosecution for prosecuting the accused under section 124A of IPC 1860 in exercise of the powers conferred under Section 196 of the Cr.P.C. has been accorded by the Government of India, vide order No 354/67/2018, dated 04/12/2018, against **Tejas (A-1)**. The original sanction order has been produced herewith.

19.23 The previous Sanction of the competent authority, District Magistrate, Movatrabad, under section 7 of the Explosive Substances Act, 1908, to prosecute **Ramadhir Singh (A-3)** under sections 3 r/w 6 of the Explosives Substances Act, 1908, has been accorded by the District Magistrate, Movatrabad, vide order No. L&O/M3/2880/2016, dated 14/11/2016. The original sanction order is enclosed herewith.

MISSCELLANEOUS SUBMISSION:

20. As no Scheduled offence has been made out during investigation against **Veerbhadra Singh Waghela (A-2)**, this Hon'ble court is requested, as per provisions of section 20 of NIA Act, to transfer the case to the court having jurisdiction under the CrPC, to take cognizance of these offences punishable under the aforesaid sections of law.*

20.1 It is, therefore, prayed that this Hon'ble Court may be pleased to take cognizance of the offences against the accused A-1 and A-3, for commission of criminal offences, as per the sections mentioned against each of their names in the table below and any other offences as deemed fit by this Hon'ble Court and transfer the case relating to A-2 to the appropriate court under the CrPC:-

Sl no.	Name of the Accused	Sections of Law
---------------	----------------------------	------------------------

* The application presented has been duly **accepted** by the Hon'ble Court and the case is transferred, Trial will commence only for A-1 and A-3.

1.	A-1: Tejas	u/s 10, 11 and 13 of the UA (P) Act 1967, section 124A of the IPC 1860.
2.	A-2: Retd. Major Veerbhadra Singh Waghela	u/s 307 of the IPC 1860.
3.	A-3: Ramadhir Singh	u/s 10, 11 & 13 of Unlawful Activities (Prevention) Act, 1967, u/s 3 r/w 6 of explosive substances Act 1908 & section 302 r/w section 34 of IPC.

20. Dispatched on : **22.01.2019**
21. No. of enclosures : 1
22. List of enclosures : Annexure A (List of Documents)

Final Report Submitted by
Prakash Gaitonde
Superintendent of Police &
Chief Investigating Officer,
National Investigation Agency,
Movatrabad Branch.

Forwarded by
Sarfaraz Ahmed
Inspector General,
National Investigation Agency, New Delhi.

EXHIBIT – 3 [Annexures to Chargesheet]

Annexures A

List of Documents

Index

1.	Sanction order section 196 of CrPC
2.	Sanction order under Section 45(1) of the Unlawful Activities (prevention) Act, 1967, (as amended)
3.	Sanction order under Section 7 of the Explosives Substances Act 1908.

GOVERNMENT OF INDIANA
MINISTRY OF HOME AFFAIRS

MOVATRABAD

NOTIFICATION

Whereas, on 20.07.2016, NIA, Movatrabad received reliable report to the effect that Tejas was involved raising inciting hatred against the government in public gatherings through his speeches.

Whereas, in this connection, case FIR No. RC- 01/2016/NIA/MVB under section u/s 124A of IPC & 10, 11, 13 of Unlawful activities (Prevention) Act 1967, was registered by the NIA against the accused, who was taken into custody and the investigation initiated; and

Whereas, during the course of investigation, it was established that the said Accused person has been actively involved in different campaigns and protests against the government of Indiana.

Whereas, during the course of investigation, on the basis of statement of witnesses and other evidence, the NIA has established a prima facie case against the accused person under section 124A of Indian Penal Code 1860, apart from other offences; and

Whereas, after perusing the relevant documents and evidences, the Central Government is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 196 of the Criminal Procedure Code 1973, the Central Government hereby accords sanction for launching prosecution against the accused person namely, Tejas under section 124A of the Indian Penal Code 1960.

By order of the Government of Indiana

Principle Secretary to the Government

Ministry of Home Affairs

No. 354/67/2018

Dated:- 04.12.2018

GOVERNMENT OF INDIANA
MINISTRY OF HOME AFFAIRS
INTERNAL SECURITY- I DIVISION
MOVATRABAD
NOTIFICATION

Whereas, on 20.07.2016, NIA, Movatrabad received reliable report to the effect that Tejas and Ramadhir Singh s/o Lallan Singh were involved unlawful activities against the government.

Whereas, in this connection, case FIR No. RC- 01/2016/NIA/MVB under section u/s 124A, 307, 302 IPC, 4 & 6 of explosive substances Act And 10, 11, 13 of Unlawful activities (Prevention) Act 1967, 25 of arms Act was registered by the NIA against the accused, who was taken into custody and the investigation initiated; and

Whereas, during the course of investigation, it was established that the said Accused persons has been actively involved in different campaigns and protests against the government of Indiana.

Whereas, during the course of investigation, on the basis of statement of witnesses and other evidence, the NIA has established a prima facie case against the accused person under 10, 11, 13 of Unlawful activities (Prevention) Act 1967, apart from other offences; and

Whereas, the Authority appointed by the Central Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently scrutinized the case diary file and all other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the accused persons; and

Whereas, after perusing the relevant documents and also taking into consideration the observation/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Central Government is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred under sub-section (1) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Central Government hereby accords

sanction for launching prosecution against the accused person namely, Tejas and Ramadhir Singh s/o Lallan Singh under section 10, 11, 13 of Unlawful activities (Prevention) Act 1967.

By order of the Government of India

Principle Secretary to the Government

Ministry of Home Affairs

No. 213/4/25/2018-ISJV

Dated:- 21.12.2016

OFFICE OF DISTRICT MAGISTRATE

MOVATRABAD

NOTIFICATION

Whereas, on 20.07.2016, NIA, Movatrabad received reliable report to the effect Ramadhir Singh s/o Lallan Singh were involved dealing with explosives and caused death of one Vasundhara d/o Veerbhadra Singh Waghela

Whereas, in this connection, case FIR No. RC- 01/2016/NIA/MVB under section 4 & 6 of Explosive Substances Act And 10, 11, 13 of Unlawful activities (Prevention) Act 1967, 302 r/w 34 of IPC was registered by the NIA against the accused, who was taken into custody and the investigation initiated; and

Whereas, during the course of investigation, it was established that the said Accused persons has been actively dealing explosive substances and assisting local militant groups.

Whereas, during the course of investigation, on the basis of statement of witnesses and other evidence, the NIA has established a prima facie case against the accused person under section 4 & 6 of Explosive Substances Act 1908, apart from other offences; and

Whereas, after perusing the relevant documents, the District Magistrate is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred under Section 7 of Explosive Substances Act 1908, the District Magistrate hereby accords sanction for launching prosecution against the accused person namely, Ramadhir Singh s/o Lallan Singh under section 4 & 6 of Explosive Substances Act 1908.

By order of the District Magistrate

Rohan Sethi

District Magistrate, Movatrabad

No. L&O/M3/2880/2016

Dated:- 14.11.2016

EXHIBIT – 4

STATEMENT OF PROSECUTION WITNESSES

PW- 1: HUKUM SINGH

[Under Sec. 161 CrPC]

SEX: MALE **AGE:** 62 Year **OCCUPATION:** HOME MINISTER, GOVERNMENT OF INDIANA

STATEMENT: I am Hukam Singh, S/O Late Shri Bhawani Singh, resident of Singh Niwas, Banke Road, Movatrabad, Magadh Pradesh. I am a retired Major General from the Indiana Army, recruited in the year 1976 as a part of 7th Rajputana Rifles. After my retirement, I served as Home Minister, in Government of Indiana from 2013 till 2018. I have known Brigadier Veerbhadra Singh Waghela since 1977, when we were serving in the same regiment. He was known to be an honorable man, who valued service beyond anything else. He was a strict disciplinarian and a source of inspiration for the young recruits to value loyalty before oneself. Veerbhadra would never bend the rules to accommodate his convenience. Veerbhadra had always been a rational man who would weigh all odds before taking a decision.

Contrary to the tough attitude Veerbhadra carried while on duty, he was an emotional man. He adored his daughter, Vasundhara. He could not have been more proud when Vasundhara got admitted to IIM Daulatabad. However, I remember him telling me that after Vasundhara leaves for college he would be all alone. He would often visit Daulatabad to ensure the well-being of his daughter.

On the fateful day of 15th July 2016, I had invited Veerbhadra and his daughter to dinner at my residence. I initiated the casual conversation with Veerbhadra regarding the increase in the rebellious activities against the state and their constant disruption of the public order. All of the sudden his face turned pale and he looked quite disturbed and troubled. It was then he told me about his daughter's relationship with Tejas who was actively involved in such rebellious

activities. He even stated that it was because of Tejas, her daughter was on the verge of facing jail May 2016 when an FIR was filed against them. I told him that there had been a series of constant campaigns by some radical groups against the government creating unrest among the public and even according to the information provided to me, there will be some mass rally next day with the same propaganda. Adding to my point Vasundhara then informed us that Tejas and his group were also in the city for the purpose of the said campaign.

It was very bizarre to see as Veerbhadra who did not used to drink much was continuously consuming alcohol after that. He even had a small altercation with Vasundhara as she was refraining him from drinking too much. After the altercation she went in a room upstairs, I had to attend an important call regarding a recent policy amendment for which I had to refer to some document so went upstairs to my room. After the call I saw Vasundhara leaving the house and Veerbhadra still sitting in the hall. I could see his sadness on his face. I came down and enquired Veerbhadra for his strange behavior to which he replied that he was not at all expecting Vasundhara still to be in contact with Tejas. I told Veerbhadra that I had received information that Tejas and his team were in a nearby place named Azad chowk to which anxiously said that he wants to confront him. But I could see a rage in his eyes and anger towards Tejas. He asked me my motor bike keys and left for Azad Chowk.

Next day I was informed Veerbhadra was arrested for attempt to shoot Tejas who was addressing the people for the actions against the government.

PW-2 : SWARNIMA SEHGAL (Common friend of Tejas and Vasundhara)

[Under Sec. 161 CrPC]

SEX: FEMALE

AGE: 23

OCCUPATION: STUDENT

STATEMENT: I am Swarnima Sehgal, D/O Dr. Deepjoy Sehgal. I have been friend with Tejas since we joined IIMD. I met Vasundhara in one of the general meetings of the *Social Impact Initiative* and from there onwards we became friends. Vasundhara was very compassionate towards the needy. Her firm dedication to work for the upliftment of socially backward and oppressed people has always inspired me. Tejas was looking for some passionate volunteers who could help him in raising funds and sensitizing people against the malpractices of the government towards oppressed group of the society. I introduced Vasundhara to him. Soon they started working together and with the due course of time they developed a great compatibility and within a span of few months of togetherness both of them get close to each other. One day Vasundhara came to me with the news that Tejas proposed her and she accepted it. Knowing that Tejas and Vasundhara shared a different set of ideologies, I was little sceptical about their relationship. I still remember, it was in May 2016 when Vasundhara informed me about a public gathering in which Tejas made some blatant remark like “Indiana not being a country worth living and country of intolerants” I could gather her discomfort and surprise towards such words of Tejas. I calmed her down but still she seems muddled. From then onwards their relationship does not seemed to be working well. Vasundhara told me that because of that public gathering a police complaint was registered against Tejas and his teammates including Vasundhara. It was just because of her father that the FIR was withdrawn. But this incidence let her father came to know about their relationship. Vasundhara thereafter always seemed quite disturbed and stressed because her father was not happy with her relationship. She even told that at some instances his father got enraged even at the thought of Tejas.

PW-3: HEMANT KUMAR - (Driver of Veerbhadra)

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 30 YEAR

OCCUPATION: DRIVER

STATEMENT: I am Hemant Kumar, s/o Shri Shrimant Kumar, currently residing in 24 Shriram nagar, H S Colony, Amanabad, Magadh Pradesh. I have been working as a driver for Mr. Veerbhadra Singh Waghela for the last eight years.

On the fateful day of 15th July, 2016, I had driven Brigadier Waghela and his daughter to the Home Minister's residence which is at a distance around 90 k.m away in Movatrabad from Amanabad. I dropped them at Home Minister's residence at around 7:00 pm in the evening. While returning, Major Waghela was heavily intoxicated and looked quite sad at the residence, I also heard that he had altercation with Vasundhara and after around 10-15 minutes at around 9.30 pm Vasundhara came and asked me to take her home, I asked her that whether Major Waghela would come to which she denied. She looked unhappy with her father

While on our way to the home, I saw two persons holding a rocket like thing and after few seconds, I heard a gunshot and as Ms. Vasundhara brought my attention to it, at the same instant, I felt a thud on the car and within seconds, a blast took place, after that I fell unconscious. I woke up to find myself in the hospital.

PW-4: INSPECTOR RAMESH SRIVASTAVA

[Under Sec. 161 CrPC]

SEX: MALE **AGE:** **OCCUPATION:** POLICE INSPECTOR, MOVATRABAD P. S.

STATEMENT: I am Prakash Gaitonde, Inspector, posted in Movatrabad Police Station. On 12 June 2016, at around 10:22 p.m., person named Guddu called the Movatrabad Police Station to inform about incident. We all reached the crime scene at around 10:45 p.m. On reaching upon the site, we noticed two spots in the area within 200 m, we immediately sealed the area and rushed to the victims. At one of the spots we saw Veerbhadra Singh lying and at around 10-15 m Tejas was lying unconscious with some blood oozing out from his neck. We also

noticed Fire burning at a distance of around 500 m from the site. When we reached there, we saw the place covered with debris and wreckages of a car. We saw a body severely injured at some distance from the wreckages, we found him alive and we immediately called the ambulance which took all the victims to the Movatrabad City hospital. We also found a dead body fully burned lying under the wreckages, we then sent the body for post mortem and forensic examination.

Upon preliminary investigation, Mr. Guddu, who was a shop keeper in the nearby Pan Shop, also the informant in the present matter gave us the details of the entire episode. He told us that at around 10.17 pm he saw an altercation between two people. He saw few men rushing towards one of the person who took out his gun and pointed at the men. People caught hold of him and he heard a gun shot being fired at the next instance. Within seconds he heard a sound of explosion from the other side. He then immediately informed the police.

Upon inspecting the crime scene, we found substantial blood near the spot where the body of Mr. Tejas. The sample of the same were collected. We also found a Pistol lying adjacent to the body of Veerbhadra Singh. I duly collected all the evidence from the crime scene.

After complying with all the formalities, I asked Mr. Guddu to accompany me to the police station for recording their statements under Sec. 161 of Cr.P.C. The preliminary inquiry made out a case of Attempt to Murder and offences relating to terrorism. Next day I was informed that the NIA would be taking over the matter so, I duly submitted all the documents and evidences relating to the matter to the NIA officials.

PW-5: PRAKASH GAITONDE

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 34

OCCUPATION: SP AND CIO, NIA, MOVATRABAD

I am Inspector Prakash Gaitonde, Superintendent of Police and the Chief Investigating Officer, National Investigating Agency, Movatrabad. On 16th of July 2016 I was informed that a explosion had taken place in the pochinkipur area and a girl was killed in that blast. With NIA taking over the case I was designated as the chief investigating officer in the case. We reached the crime scene at around 11.00 A.M. for a preliminary investigation, few police constables were guarding the crime scene and explosion site. I called for the officer present during the initial investigation and Mr. Ramesh Srivastava came along with all the seized evidences, photos and documents. He submitted the same to the officers of NIA. At around 200 m I saw a petrol pump and an ATM on the opposite side, I saw a CCTV camera attached outside the ATM, I immediately called for the ATM officials to provide me the footage of last night.

I returned to the headquarters and asked the officials to register an FIR since the police had still not done so. Mr. Ramesh Srivastava himself acted as complainant in the matter and assisted in lodging an FIR. After registering the FIR it was duly dispatched to the court on the same day. On preliminary investigation we found that Tejas (Accused 1) and Ramadhir (Accused 3) were the members of SKS, which was declared an unlawful association last month. Information was received that Accused 3 was also dealing with explosive substances and was prime suspect for the explosion that took place.

We carried on further investigation and credible information was received that Ramadhir Singh (Accused 3) was also involved in unlawful activities. We also applied for necessary sanctions for prosecution and carried on further investigation.

PW- 6: MR. ANGELO GONSALVES,

[Under Sec. 161 CrPC]

SEX: MALE
OFFICER

AGE: 41 YEAR OCCUPATION: CASUALTY MEDICAL

STATEMENT: I am Dr. (M.B.B.S), (M.D.) [General Medicine DM – Cardiology DNB] residing at House No. 30, Viraj Colony, Bagri, Movatrabad, Magadh Pradesh. I have been a casualty medical officer at the Movatrabad City Hospital for the past 7 years and have an experience of over 12 years while working at various public as well as private hospitals.

I was present on duty when Mr. Tejas and Mr. Veerbhadra Waghela were brought in by Havaladar Ramprasad Mishra on 16th July 2016 at 12:00 p.m. I treated the wound present on the gonial angle of Mr. Tejas. The wound was in the shape of a very shallow cut less than a cm in length & about half a cm in width with its depth being very little just about 2 to 3 mm. He is very lucky that he didn't receive a wound over the carotid or facial artery as a rupturing of these arteries can easily cause death because of blood loss. Moreover, he was also suffering from a concussion as well.

I also treated the various bruises & cuts sustained by Mr. Veerbhadra Waghela which I have been told are a result of falling on gravelly ground & with which I concur. Moreover, some other bruises sustained by him appear to be caused due to collision with some other person. I also conducted a breathalyzer test on Mr. Veer Bhadra Waghela twice with an interval of an hour between the 2 readings with the 1st reading being 0.15% & the second reading being 0.14% which is almost thrice the legal limit in India.

Pw – 7 : DR. GURPREET SINGH MANN (MEDICAL EXPERT)

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 53 YEARS

OCCUPATION: SURGEON

STATEMENT: I am Dr. Gurpreet Singh Mann (M.B.B.S), (M.D.) s/o Dr. Yograj Singh Mann, residing at House No. 28, Old Housing Board Colony, Movatrabad, Magadh Pradesh. I have

been practicing at the Movatrabad City Hospital, as a Chief Surgeon for the past 9 years. I was heading the post mortem examination of Vasundhara Singh Waghela. The body was brought in at around 12:00 a.m. and was declared dead on arrival. Since I was on duty at that time, we went ahead with the autopsy at the earliest and thus the autopsy began at 12:39 a.m. and it continued till 02:47 a.m. The body at the time of the post mortem had various visible penetrating & lacerating wounds on the thorax which had caused profuse bleeding. The lungs were filled with fluid and blood. The great vessels of the body were ruptured due to being hit by shrapnel. The heart of the deceased was decompensated. Internal hemorrhage can be clearly seen in the pericardial sac, pleural cavity as well as the thoracic cavity & the rib cage.

In my opinion the cause of death is due to blood loss owing to the internal hemorrhage in the thorax region which has occurred because of multiple wounds sustained by the deceased from the entrance of shrapnel as well as blood loss sustained by the deceased from the wounds to the thorax itself. My opinion on the aforesaid cause of death has been duly reasoned and supplemented by an Autopsy Report. The Autopsy Report has been submitted in two parts (brief and descriptive) and must be read as supplementary to another.

The report has been prepared carefully following the standard procedure and protocol in medico legal practice. The said report has been duly submitted to the proper authorities.

Pw- 8 - DR. ANGELICA MARTINENZ – BALLISTICS & EXPLOSIVE EXPERT

[UNDER SEC. 161 CRPC]

SEX: FEMALE

AGE:49 YEARS

OCCUPATION: FORENSIC EXPERT

STATEMENT: I am Dr. Angelica Martinenz (M.Sc. [Forensic Science]), d/o. Mr. Joseph Matthews of and w/o Mr. Jason Martinenz. I am a resident of B1/ 71 Mahatma Gandhi Rd., Amber Complex, Amanabad, Magadh Pradesh. I am a Forensic expert by profession and have

been working with my team on ballistic & explosive examination for the NIA for the past 15 years of my life. I have specific specialization in short range weapons both prohibited and non-prohibited. I have past experience in helping the police & other such authorities in determining the type of guns & ammunition and explosives used for the commission of crimes.

My team was provided with a single Colt M1911A1 Pistol which had a .45 ACP round in the firing chamber & whose 7 round detachable magazine had only 6 rounds. We were also given a .45 ACP bullet with rifling marks present on it. In the course of our investigation we examined the rifling marks present on the .45 ACP bullet provided to us with a .45 ACP bullet fired in the lab from the Colt M1911A1 given to us for testing. On the examination of the rifling marks present on the 2 bullets we received a 99.98% match which clearly indicates that both the bullets were fired from the same pistol.

We also received a sample of Mr. Veer Bhadra Waghela's fingerprints from his right hand which we matched with the finger prints present on the pistol provided to us. On matching the two together we found that they match with each other by 97.68% which leads directly to the conclusion that Mr. Veer Bhadra Waghela was the one who fired the pistol.

We also examined the remains of the automobile which were recovered from the scene of the explosion & those remains have a significant amount of molten copper present over them which lead to the conclusion that either a HE or HEAT warhead or grenade was used. But due to the fact that the automobile still has a reasonable portion of the front part i.e. as the automobile wasn't completely destroyed & burned, we have come to the conclusion that a HE grenade or warhead was used. Moreover, the rock samples recovered at a distance of about 90 m from the place of explosion show signs of melting which can only happen at extreme temperature therefore, in our opinion a RPG was fired from that spot. Due to the short distance between the

point of explosion & the point of firing of the RPG in our opinion the perpetrators used a HE grenade with a piezoelectric fuse.

EXHIBIT – 5

AUTOPSY REPORT

POST-MORTEM REPORT

(a) Body was received at 12:00 a.m. on 16th July 2016 Distt: Movatrabad P.S.:
Movatrabad Rural

(b) P.M. Commenced at 12:39 a.m. on 16th July 2016

(c) Name of observer/ if any: NA

A – General			B – External Appearances		
Name (Apparent age, religion, sex, strength, weight & residence if known with Parental address)	Village/ Town/ Mahalla from where Brought	Name of Constable/ Chaukidars/ Dafadars relatives accompanyin g the corpse identified the deceased	Special Identifying features including complexion, color of hair, eyes, etc.	Clothes and articles sent with the corpse etc.	Condition of subject including physique and nutrition, congenital/ acquired peculiarity, P.M. Lividity, obstruction of natural orifices, if any and in case of new infant, mention condition of umbilical

					cord.
1.	2.	3.	4.	5.	6.

Vasundhara Singh Waghela, 22 years, Hindu, Female, 55 kgs, House No. 3, Waghela Niwas, Sri Ram Colony, Tunti, Amanabad, Magadh Pradesh	Pochinkipur Village, Movatrabad	Constable- Mr. Hariwant Singh Driver- Mr. Ram Chandra Identified by Mr. Veerbhadra Waghela	Wheatish complexioned, Blackish-Brown hair and Grey eyes. Mole behind right ear.	Blue round neck t-shirt, dark blue denim jeans, black undergarments and a pair of black sandals. The clothes have various blood marks from blood loss.	Well developed and nourished female, body is normal and consistent with the age. Normal tongue, red in color. 30 natural teeth found.
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C-Cranium and Spinal Canal Note – The Spinal Canal Need Not be Examined unless any indication of disease or injury exists

Scalp Skull	Vertebra	Membrane	Brain and Spinal Cord
7.	8.	9.	10.
Unremarkable	Unremarkable	Unremarkable	Unremarkable

D – Thorax

Walls, Ribs, Cartilages		Pleura		Larynx & Trachea		Lungs		Pericardia		Heart		Large vessels	
11.		12.		13.		14.		15.		16.		17.	
Internal Haemorrhage		Internal Haemorrhage		Unremarkable		Pulmonary Edema		Internal Haemorrhage		Decompensated		Ruptured due to presence of shrapnel	
E – Abdomen													
Walls	Peritoneum	Mouth Oesophagus and Condition of teeth	Stomach and its content	Small intestine and its content	Large intestine and its content	Liver	Spleen	Kidneys (Right & Left)	Bladder	Organs of generation, External & Internal			
18.	19.	20.	21.	22.	23.	24.	25.	26.	27.	28.			

Unre marka ble	Unre marka ble	Unre marka ble	Semi- Diges ted Food	Unre marka ble	Unre marka ble	Unre marka ble	Unre marka ble	Unre marka ble	Unre marka ble	Unre marka ble
F – Muscles and Bones										
29. Injury			30. Disease/ Deformity			31. Fractures		32. Dislocation		
Multiple penetrating and lacerated wounds present on the thorax			None			None		None		
33. G – Detailed description of injuries, burns, ligature marks at neck if any. Mention Ante or Post Mortem and nature of probable weapons used.										
There are a total of 5 recognizable wounds present over the thorax of the deceased with the thorax also being completely lacerated. Dimension of 1st wound- 1” X 1.5” X 2” Dimension of 2nd wound- 0.75” X 1.25” X 1.75” Dimension of 3rd wound- 1.25” X 0.75” X 1.5” Dimension of 4th wound- 1.35” X 0.9” X 1.38” Dimension of 5th wound-1.5” X 1.1” X 1.5”. Loss of significant amount of blood can be inferred from the internal haemorrhage which has occurred alongside the blood present on the clothes of the deceased. Various pieces of shrapnel of dimensions 1cm X 1.25 cm, 0.5cm X 1cm, 1.25cm X 0.75cm 1.15cm X 0.75cm, 1.3cm X 1cm, 1.4cm X 1.2cm, 1.35cm x 1cm, 1.5cm X 1cm, 0.8cm X 0.6cm & 1.2cm X 1.1cm were removed from the body of the deceased.										
34. H – OPINION OF MEDICAL OFFICER AS TO CAUSE OF DEATH, TIME SINCE DEATH; AND ANY ADDITIONAL RELEVANT INFORMATION.										

The cause of death is due to blood loss owing to the internal hemorrhage in the thorax region which has occurred because of multiple wounds sustained by the deceased from the entrance of shrapnel as well as blood loss sustained by the deceased from the wounds to the thorax itself.

Mention items or viscera or other items preserved, and preservative used.

Place of Examination: Movatrabad City Hospital, Movatrabad

Sd/-

Dr. Gurpreet Singh Mann
(M.B.B.S), (M.D.)Head Surgeon (FMT)

Date – 16/07/2016 Designation –Head Surgeon Signature (Full Name and Qualification)

35. I - Remarks by Head of Forensic Medicine and Toxicology Department

Autopsy Report Explained

**Autopsy Report No: 2016/72
28736/A**

Ref. No.

Autopsy Authorized By: Movatrabad Rural Police Station

Date and hour of receipt of body: 12:00 a.m. on 16th July 2016

The hour of starting autopsy: 12:39 a.m. on 16th July 2016

Hour of conclusion of autopsy: 02:47 a.m. on 16th July 2016

Body brought and identified by: Constable- Mr. Hariwant Singh, Ambulance Driver- Mr. Ram Chandra. The body was identified by Mr. Veerbhadra Waghela the father of the deceased 14 hours after the conduction of the autopsy.

Age: 22 years Height : 168
cm

Sex : Female Weight : 55
kgs

<u>Hair:</u>	Blackish-Brown	<u>Built</u>	:
	Medium		

Eyes: Grey

CLOTHING: Blue round neck t-shirt, dark blue denim jeans, black undergarments and a pair of black sandals. The clothes have various blood marks from blood loss.

SCHEDULE OF OBSERVATIONS

A – GENERAL (Fill up this portion)

Name: Ms. Vasundhara Singh Waghela

Special Identification Features: The deceased had a black mole just behind the right ear.

External Appearance: The body was well developed and well nourished. The deceased was a wheatish complexioned female, about 22 years of age. The body was normal and consistent with the age. The tongue was normal in shape and red in color. The total number of teeth present was 30 all of which were natural.

(A) INJURIES:

Head: Unremarkable

Shoulder: Unremarkable

Thorax: There is presence of multiple penetrating and lacerated wounds on the thorax.

Abdomen: Unremarkable

____ Legs: Unremarkable

(B) HEAD AND NECK

1. Skull, Brain, Meninges and Cerebral vessels: Unremarkable

2. Orbital, Nasal and Aural cavities: Unremarkable

3. Mouth, Tongue: No damage

4. Neck, Larynx, Thyroid and other neck structures: Unremarkable

(C) CHEST (THORAX)

1. Ribs and Chest Wall: Internal haemorrhage.
2. Diaphragm: Unremarkable.
3. Oesophagus: Unremarkable.
4. Trachea and Bronchi: Unremarkable.
5. Pleural Cavities: Internal haemorrhage.
6. Lungs: Pulmonary Edema.
7. Heart and Pericardial sac: The heart weighs 305 gm. and was decompensated whereas there is internal haemorrhage in the pericardial sac.
8. Large bold vessels: Ruptured.

(D) ABDOMEN

1. Abdominal Wall: Unremarkable
2. Peritoneal cavity: Unremarkable
3. Stomach and its content: Semi – Digested food weighing 94 grams.
4. Small Intestine: Unremarkable
5. Large Intestine, Vermiform Appendix, Mesentery and Pancreas: Unremarkable

6. Liver, Gall Bladder, Biliary Passages: Liver weighs 1330 grams. The gall bladder contains 21cc of bile.
7. Spleen: Unremarkable
8. Kidney, Renal Pelvis, Ureters: Unremarkable
9. Pelvic Wall: Unremarkable
10. Urinary Bladder and Urethra: Unremarkable
11. Genital Organs: Unremarkable

(E) SPINAL COLUMN

1. Spinal Column and Spinal Cord: Unremarkable

(F) ADDITIONAL REMARKS

1. Presence of damage in the following areas: There are only 5 properly recognizable wounds present on the thorax of the deceased as the thorax is also completely full with various lacerations. The dimensions of the various wounds are as follows-

Dimension of 1st wound- 1" X 1.5" X 2"

Dimension of 2nd wound- 0.75" X 1.25" X 1.75"

Dimension of 3rd wound- 1.25" X 0.75" X 1.5"

Dimension of 4th wound- 1.35" X 0.9" X 1.38"

Dimension of 5th wound- 1.5" X 1.1" X 1.5"

The various pieces of shrapnel of the dimensions 1cm X 1.25 cm, 0.5cm X 1cm, 1.25cm X 0.75cm 1.15cm X 0.75cm, 1.3cm X 1cm, 1.4cm X 1.2cm, 1.35cm x 1cm, 1.5cm X 1cm, 0.8cm X 0.6cm & 1.2cm X 1.1cm were also collected & removed from the body of the deceased.

(G)SPECIMEN COLLECTED FOR TOXICOLOGICAL ANALYSIS

Name of Specimen preserved

1. Stomach with its contents: Semi – Digested Food
2. Small Intestine and its Contents: Nothing is present.
3. Sample of Liver: The liver weighs 1330 grams.
4. Kidneys: -NA-
5. Spleen: -NA-
6. Sample of Blood: Blood Group: (O+), Sugar: 82mg/dL, WBC Count: 7,900 cells/ mcL, RBC

Count: 4.5 million cells/mcL.

7. Lungs: -NA-

1. Evidence of Injury

Multiple penetrating & lacerated wounds present over the thorax.

2. Items handed over to Police

1. Post Mortem Report: Yes
2. Dead Body: Yes

3. Viscera, Clothes and articles, if any: Yes

(H) TIME SINCE DEATH:

I. OPINION: The cause of death to the best of knowledge and belief.

The cause of death is due to blood loss owing to the internal haemorrhage in the thorax region which has occurred because of multiple wounds sustained by the deceased from the entrance of shrapnel as well as blood loss sustained by the deceased from the wounds to the thorax itself.

Sd/-

Dr. Gurpreet Singh Mann
(M.B.B.S), (M.D.) Head Surgeon (FMT)

EXHIBIT – 6

SPOT PANCHNAMA

Pancha No. 1

Name: Mr. Sandeep Sharma

Address: Flat No. 36, Vasant Complex, Ponchikipur, Movatrabad - 834090

Pancha No. 2

Name: Ms. Pallawi Sharma

Address: House No. 20, Sector III, Pagri Ganj, Ponchinkipur Movatrabad- 834090

We, the above named Panchas were asked by Mr. Ramesh Srivastava to accompany him to the crime scene Azad Chowk, Pochinkipur at around 11:00 p.m. on 15th July 2016. When we reached there at around 11:30 p.m., with Mr. Ramesh Srivastava along with four other constables, they asked us to act as panchas, to which we agreed. When we reached the Chowk, people had gathered around the scene. There was a big chabutra in the area and the adjoining land was covered with grass. When we reached near the chowk, we saw two bodies lying, one body identified as Mr. Tejas, was lying at one end while one body identified as Mr. Veerbhadra Singh Waghela, was lying at around 20-30 m at the other end. The police first checked the body of M. Tejas with the help of a lady constable, followed by the checking of the body of Mr. Veerbhadra, both bodies were found alive and after outlining their bodies both were rushed to the hospital immediately. Then the police searched for blood samples but a blood stain was found on a big stone lying near to one of the bodies. A Pistol, A bullet shell, a stone with blood stains were found, which were seized by the police. The police further investigated the area within 500 m and took us to another spot wherein a explosion has taken place. Upon reaching the place of explosion we found that an army Jeepsey had exploded. Further, a Motor bike was

found lying at around 100 m from the explosion site and an RPG was found lying at around 50 mtrs from the explosion a same were seized by the police. Two bodies were found near the jeep. One body identified to be Ms. Vasundhara was burned in full the police through a lady constable checked her and declared her to be dead. Another body identified as to be Mr. Hemant Kumar was found half burned, when police checked him, he was found to be alive and immediately sent to the hospital. The explosion expert team arrived on the spot and they collected samples of the explosives lying in the area. The search continued for some time without recovery of any evidence.

Sd/-

Mr. Ramesh Srivastava, Inspector

Sd/-

Signed by Pancha No. 1

Sd/-

Signed by Pancha No. 2

EXHIBIT – 7

BALLISTIC REPORT

Examination Required

- Cartridge and shell Examination.
- Gunshot Residue and Distance Determination
- Examination of Firearms

List of Evidence Received.

- 1 .45 ACP Shell
- 1 fired .45 ACP Bullet.
- A 7 round .45 ACP Magazine now containing only 6 rounds.
- 1 Colt M1911A1 Pistol withg a cartridge in the firing chamber.

Evaluation of Firearms

- Colt M1911A1 Pistol. Despite being more than a century old design kthis gun is still used by the personnel of many millitary & police forces worldwide. It is an optimal combination of accuracy and simplicity for personal protection needs. The present model has a barrel length of 5.03 inches as found in the government model of this pistol.
- The weapon which was given to us for the purpose of testing has been used earlier as it has 1 bullet in the firing chamber while its 7 round detachable magazine now contains only 6 rounds.

Cartridge and Shell Examination.

- A single .45 ACP shell was found which can be fired from a Colt M1911A1 pistol.
- One of the bullet received displays various rifling marks on it leading to the conclusion that it was fired.

Gun Residue and Distance Determination

- The bullet shows rifling marks.
- There is presence of finger prints on the pistol.
- The finger prints on the pistol match with the finger prints of Mr. Veer Bhadra Waghela.
- As there was no penetration of the bullet in the body of the victim i.e. he only received a grazing wound it is difficult to determine the distance or range from which the shooting took place.
- By firing another shot from the pistol given to us for testing & matching the rifling marks on the bullet received from the crime scene as well as the bullet fired in the lab we have come to the conclusion that they were fired from the same weapon which was given to us for testing as the rifling marks on the bullets match 99.98%.

Therefore in my opinion a gunshot was fired at the crime scene from the recovered Colt M1911A1 Pistol.

Sd/-

Dr. Angelica Martinenz

Ballistics & Explosive Expert

NIA

EXHIBIT – 8
EXPLOSION REPORT

Examination Required -

- Automobile Remains Examination
- Firing position Examination

Evidences Received -

- Remains of the automobile in which the victim was travelling
- Rock Samples showing signs of melting
- Traces of Nitroglycerin and cyclotrimethylenetrinitramine

Result of Examination –

- The presence of a significant amount of molten copper was found on the remains of the automobile.
- The examination of various rock samples collected from a distance of 90 m from the point of explosion show signs of severe melting all over them which can be easily caused from the backblast of the firing of a RPG as its backblast contains exhaust gases at extreme temperatures which can even melt stone. Presence of the above chemical indicate that they are explosive mixtures found in the warhead of an Single-stage HEAT RPG

Therefore, in my opinion the explosion to the automobile was cause by the firing of a RPG containing a HEAT round with a piezoelectric fuse.

Sd/-

Dr. Angelica Martinenz

Ballistics & Explosive Expert

NIA

EXHIBIT – 9
OFFICE OF THE REGISTRAR
UNLAWFUL ACTIVITIES (PREVENTION) TRIBUNAL
ROOM NO. 104, FIRST FLOOR, BLOCK ‘A’,
MOVATRABAD

RE: Notification No. S.O. 1403(E) dated 5th July 2016, issued by the Central Government, under section 3(1) of the unlawful Activities (Prevention) Act, 1967, declaring the Satyashodhak Krantikari Sangathan (Ramadhir Singh faction) (SKS) as an Unlawful Association.

To,

Satyashodhak Krantikari Sangathan (Ramadhir Singh faction)

WHEREAS the Central Government in exercise of the powers conferred by sub-sections (1) and (3) of the Section 3 of Unlawful Activities (Prevention) Act 1967 (37 of 1967) (hereinafter referred to as “the Act”) has declared Satyashodhak Krantikari Sangathan (Ramadhir Singh faction) (for short ‘SKS’) to be an “unlawful association “ vide notification No. S.O. 1403(E) dated 5th July, 2016 [published in the Gazette of India: Extraordinary Part II, Section 3(ii)].

WHEREAS the Central Government in exercise of the powers conferred by section 7(1) of the Act has imposed sanctions on the funds received by SKS as there is credible information that it is using funds for carrying out unlawful activities.

NOW THEREFORE, that since credible evidence exist that SKS has increased its activities and using its funds to assist the Naxalite groups in the area, there is existence of sufficient reasons to disrupt public peace, it is opined that SKS to be declared unlawful with immediate effect.

Given under my hand and the seal of the Unlawful Activities (Prevention) Tribunal,
High court of Movatrabad, Movatrabad this the 5th July 2016

(Lokesh Yadav)

Registrar

Unlawful Activities (Prevention) Tribunal

EXHIBIT – 10

ARREST MEMO

Annexure 1

FIR No. – RC- 01/2016/NIA/MVB

1. a. Name of the person arrested : Mr. Tejas
b. Father's name : -
c. Sex : Male
d. Age (Approx) : 26 Years
e. Residential address : 3 Subhedar Street, Ambikapur, Awadh Pradesh.
f. Name of relative / friend whom the person taken in custody intends to inform. : Swarnima Sehgal
2. a. Date of arrest : 17/07/16
b. Time of arrest. : 11:50 a.m.
c. Place of arrest. : City Hospital, Movatrabad
d. Notification of date and time of arrest and information about place of detention to the friend / relative :
[Not required in case of witness]
Case reference with section of law. : Secs. 124A of IPC 1860, Secs. 10, 11 and 13 of the UA (P) Act 1967
3. G.D. Entry No. at the place of detention :
disclosing the name of next friend of arrestee informed of the arrest and the particulars of the police official in whose custody the arrestee is.
4. Name of the PS / Interrogation centre / place of detention. : The Accused is taken to NIA HQrs., Movatrabad on 17.07.17
5. Name of designation of the officer apprehending : Superintendent of Police and

Chief Investigation officer, NIA

6. Registration no. of vehicle [if issued during arrest] : NA
7. Form / Court where to be produced. :
8. Date & time of production in the court. :
9. Signature of the witness : Sd/-
[Either a family member or a respectable local man]. Swarnima Sehgal
10. Counter signature of the arrestee : Sd/-
Certified that the person arrested has been Tejas
Informed of this right to have someone informed
of his arrest or detention.

Signature of the Memo Issuing Officer
(Range Officer)
With date & designation.
Sd/-
Prakash Gaitonde
Superintendent of Police &
Chief Investigating
Officer, 17/07/16

Copy forwarded to

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Magistrate for favour of
information.

ARREST MEMO

Annexure 2

FIR No. – RC- 01/2016/NIA/MVB

11. a. Name of the person arrested : Mr. Veerbhadra Singh Waghela
- b. Father's name : Late Shri Sukhwinder Singh Waghela
- c. Sex : Male
- d. Age (Approx) : 65 Years
- e. Residential address : House No. 3, Waghela Niwas, Sri Ram Colony, Tunti, Amanabad, Magadh Pradesh..
- f. Name of relative / friend whom the person taken in custody intends to inform. : Hukum Singh
12. a. Date of arrest : 17/07/16
- c. Time of arrest. : 11:53 a.m.
- c. Place of arrest. : City Hospital, Movatrabad
- d. Notification of date and time of arrest and information about place of detention to the friend / relative :
[Not required in case of witness]
- Case reference with section of law. : u/s 307 of IPC, 1860
13. G.D. Entry No. at the place of detention :
disclosing the name of next friend of arrestee informed of the arrest and the particulars of the police official in whose custody the arrestee is.
14. Name of the PS / Interrogation centre / place of detention. : The Accused is taken to NIA HQrs., Movatrabad on 17.07.17
15. Name of designation of the officer apprehending Chief Investigation officer : Superintendent of Police and

16. Registration no. of vehicle [if issued during arrest] : NA
17. Form / Court where to be produced. :
18. Date & time of production in the court. :
19. Signature of the witness : Sd/-
[Either a family member or a respectable local man]. Hukum Singh
20. Counter signature of the arrestee : Sd/-
Certified that the person arrested has been Veerbhadra Singh Waghela
Informed of this right to have someone informed
of his arrest or detention.

Signature of the Memo Issuing Officer
(Range Officer)
With date & designation.
Sd/-
Prakash Gaitonde
Superintendent of Police &
Chief Investigating
Officer, 17/07/16

Copy forwarded to

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Magistrate for favour of information.

Annexure – 3

1.	a. Name of the Person arrested	: Mr. Ramadhir Singh
	b. Father's Name	: Shri Lallan Singh
	c. Sex	: Male
	d. Age (Approx)	: 45 Years
	e. Residential Address	: Ooncha Tila, Raghuram Road, Babudangal, Amanabad, Jharkhand
	f. Name of relative / friend whom the person taken in custody intends to inform	:
2.	a. Date of arrest	: 26.01.2019
	b. Time of arrest	:
	c. Place of arrest	:
	Notification of date and time of arrest and information about place of detention to the friend / relative	:
	[Not required in case of witness]	
	Case reference with section of law	: u/s 10, 11 & 13 of UA (P) Act, 1967, u/s 3 r/w 6 of Explosive Substance Act, 1908, u/s 302 r/w s 34 of IPC
3.	G.D. Entry No. at the place of detention disclosing the name of next friend of arrestee informed of the arrest and the particular of the police official in whose custody the arrestee is.	:

4. Name of the PS / Interrogation centre / place :
of detention
5. Name of designation of the officer apprehending :
6. Registration no. of vehicle [if issued during arrest] : N/A
7. Form / Court where to be produced :
8. Date & time of production in the court :
9. Signature of the witness :

[Either a family member or a respectable local man].
10. Counter signature of the arrestee : Sd/-
Certified that the person arrested has been Ramadhir Singh
informed of his right to have someone informed
of his arrest or detention

Signature of the Memo Issuing Officer
(Range Officer)

With date & designation

Sd/-

Prakash Gaitonde
Superintendent of Police &
Chief Investigating
Officer,

Copy forwarded to

.....
Magistrate.....for favour of information

EXHIBIT – 11

CHARACTER AND ANTECEDENTS VERIFICATION CERTIFICATE

Sr. No.	Particulars		
1.	Full name with aliases, if any (Please indicate if you have added or dropped at any stage any part of name or surname)	:	Ramadhir Singh
2.	Present address in full	:	Ooncha Tila, Raghuram Road, Babudangal, Amanabad, Magadh Pradesh.
3.	Home/ Permanent address	:	Same as Above
4.	Particulars of place with periods of residence where you have resided during the preceding two years		
	Period		Address in full with P.S and Distt.
	From	To	N.A.
	N.A.	N.A.	
5.	Father's name in full with aliases , if any		Nationality:
	Shri Lallan Singh		Indianan
	Place of Birth	Occupation.	Present Address
	Magadh Pradesh	Self Employed	Ooncha Tila, Raghuram Road, Babudangal, Amanabad, Magadh Pradesh.
			Permanent Address
			Same
6.	Give full particulars with details of previous & present employments up-to –date:		

Period	Designation	Full name & address of employer/organization	Nature of employment	Reason for leaving previous services
Till Present	President	Satya Shodak Sangathan	Self-Employed	N.A.
7.a	Have you ever been arrested?		Yes	
b.	Have you ever been prosecuted?		Yes	
c.	Have you ever been kept under detention?		Yes	
d.	Have you ever been fined by a court of law?		Yes	
e.	Have you ever been convicted by a court of law?			No.
f.	Is any case pending against you in any court of law?		Yes	
g.	Are you on Bail currently		Yes	
8.	For what offences you have been arrested or prosecuted if any?		1. S. 7, 20, 29 of the Arms and Ammunition Act, 1959	

I certify that the following information is correct and complete to the best of my knowledge and belief.

**Counter signature of
S.H.O/ authorized
Signatory with stamp**

**Place- Babudangal Police Station,
Amanabad, Magadh Pradesh.**

EXHIBIT – 12

FINGER PRINT REPORT



Forensic Investigation Centre
50, Singhanian Road, Movatrabad 834090
Phone 0152-2803466
Fax 0152-2803467

Forensic Investigation Centre

FINGERPRINT ANALYSIS REPORT (SUMMARY)

Movatrabad Lab Identification Number 23-04-113



Lead Investigator: Mr. Prakash
Analyst: Forensics Officer Rohit Singh
Incident No: 872315-45N-2016
Date: 22 July, 2016

Movatrabad Lab Identification Number 23-04-113

***Incident:* Sample of 1 Pistol found lying on the floor at Azad Chawk, Ponchikipur belonging to Mr. Veerbhadra Singh, relating to the following case:**

- SV-38-CRM-0873-0980- Attempt to Murder on Mr. Tejas

Fingerprint Examination of Pistol (873915- 01)

Three (01) full/partial fingerprints found on the Hammer, Trigger, Grip of the Pistol

- 873915-01-F1- conclusively matched to Mr. Veerbhadra Singh
- 873915-01-F2- conclusively matched to Unknown
- 873915-01-F3- conclusively matched to Mr. Veerbhadra Singh

All tests certified by Fingerprint Supervisor Mr. Rohit Singh

EXHIBIT – 13

CERTIFICATE

(UNDER SECTION 65 B OF THE INDIAN EVIDENCE ACT, 1872)

It is hereby certified that the electronic evidence submitted in F.I.R. No. RC-01/2019/NIA-MVB for expert analysis have been transcribed and produced in their respective authentic copies:

a) The Image submitted by the investigation authority has been verified for being tamper-proof. The Image obtained has been safely stored within a computer system which is the one used by the investigators in every case, hence it is in the safe possessions. Leave be granted to the produced Image submitted as the true source.

b) The Image of the CCTV Footage submitted by the investigation authority has been verified for being tamper-proof. The Image obtained has been safely stored within a computer system which is the one used by the investigators in every case, hence it is in the safe possessions. Leave be granted to the produced Image submitted as the true source

c) The CCTV Footage submitted by the investigating authority has been verified for being tamper-proof. The video obtained has been safely stored in a computer system and the video recorder used is in safe possession of the forensic lab. Leave be granted to refer to the produced video extracts submitted as the true source.

Dated: 20th of July, 2016

Signed by the Certifying Authority

Dr. Harsh Srivastava, HOD, Pedagogy.

EXHIBIT – 14

MAP OF THE CRIME SCENE AND EXPLOSION SITE

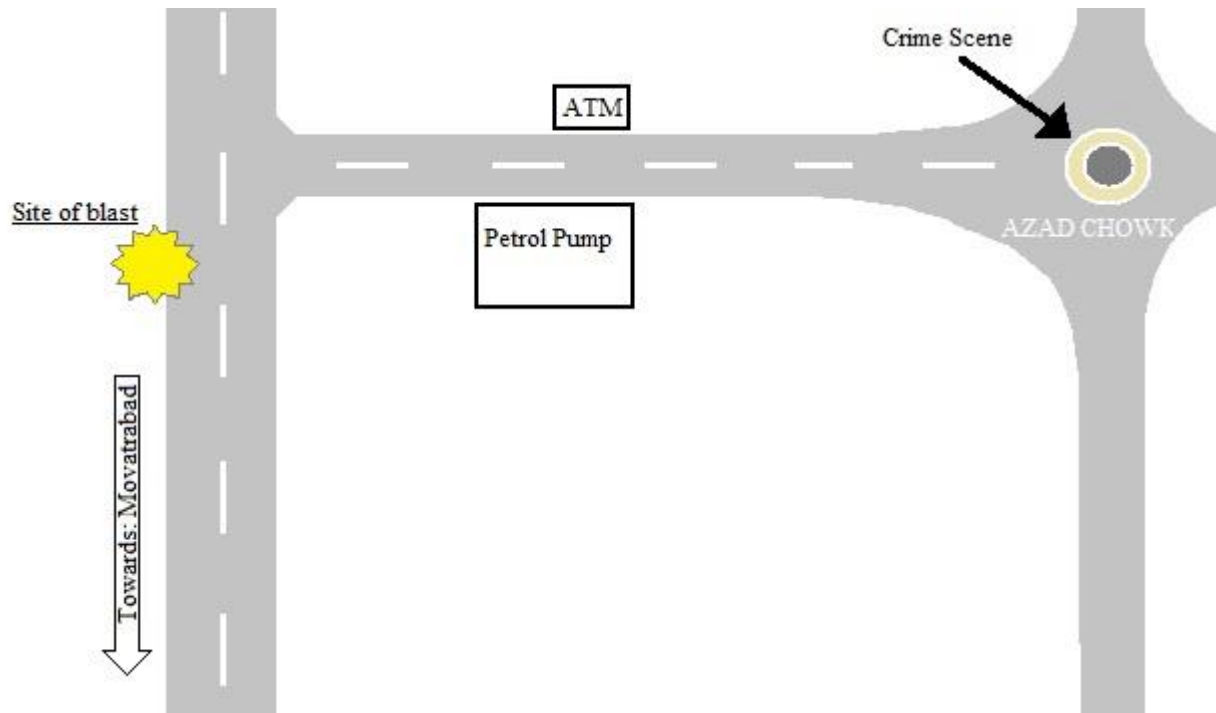


EXHIBIT – 15

CRIME SCENE PHOTOGRAPHS



PICTURE 1: AZAD CHOWK, PONCHINIKIPUR



PICTURE 2: PISTOL FOUND NEAR THE BODY OF VEERBHADRA SINGH WAGHELA



PICTURE 3: BULLET SHELL FOUND IN THE CRIME SCENE

PHOTOGRAPHS OF EXPLOSION SCENE

EXHIBIT – 16

PHOTOGRAPHS AT EXPLOSION SITE



PICTURE 1: VASUNDHARA'S CAR AFTER EXPLOSION



PICTURE 2: RPG FOUND IN NEAR THE EXPLOSION SCENE



PICTURE 3: A MOTORBIKE FOUND NEARBY THE EXPLOSION SITE



PICTURE 4: SNAPSHOT OF CCTV FOOTAGE OF ATM, NATRA SINGH AND BANWARI LAL CARRYING RPG ON THEIR MOTOR BIKE

STATEMENT OF DEFENSE WITNESSES

DW- 1: MR. TEJAS– ACCUSED-1

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 26 Years

OCCUPATION:

STUDENT

STATEMENT: I am Tejas, residing and studying at Indiana Institute of Management, Daulatabad, Magadh Pradesh. I was three years old when I lost my father and mother in a car accident and from then onwards, I have been brought up by *Pahal Jan Kalyan Samiti Orphage*, situated in Ambikapur, Awadh Pradesh. I stayed there till 2011 and then in order to complete my higher secondary education I was transferred to *Pahal Jan Kalyan Samiti Higher Secondary School* which was managed and control by the same trust that headed the Orphanage. After securing the position in top 10 of the state merit in class 12th, *Satyashodak Krantikari Sangathan* (SKS) offered me scholarship for my higher education. In the year 2014, I appeared for Common Entrance Test and cleared it in the very first attempt itself and took admission in Indiana Institute of Management, Daulatabad (IIMD). It was my first year when government imposed some sanctions on SKS citing some random policies and laws because of which my scholarship was on the verge of termination, however the SKS continue the scholarship amid the sanction. On 25th September, 2014 the annual All India Conference of SKS took place in which I also participated. There I came to know about the propaganda of government of suppressing the oppressed class of the society. After attending the annual conference, I got a clear vision of government's hidden agenda behind imposing sanctions over SKS. Government wanted to devoid youths from proper education so that government could continue with their double standard policies of befooling the oppressed class. I was in my second year when I got a project from SKS wherein, I was entrusted with the work of raising funds, sensitizing people

against the malpractices of government towards particular group of society and conducting skill development training program in order to empower villagers residing nearby IIMD. For this my first job was to figure out those people in the Institution who can help me out in the successful conduction of project. Swarnima, a good friend of mine introduced me to Vasundra who was the secretary of *Social Impact Initiative* working towards the upliftment of socially backward and underprivilege class of society.

In the array of completing the project, Vasundhra and I started spending time together more often. Within a span of few months, I developed affection towards Vasundhara. I still remember it was the month of February, the project team was returning from a nearby village after a successful sensitization programme, everyone was in a good mood and therefore I decided to throw a small party. In the party I proposed Vasundhara and we got into a relationship.

Everything was on track and seems to be honky dory, I was directed by the SKS to organize a public gathering in Dholakpur village by the end of May 2016. My team successfully conducted the programme but Vasundhara seems to be quiet perturbed this time, on enquiring the reason as to why she was behaving in such absurd manner, she started condemning me for my speech. She in fact cited it to be provocative and subversive in nature promoting hatred against the country. I tried to put my side of arguments before her but she seemed to be very reluctant to hear anything.

On the very same day a FIR was lodged u/s 141 of IPC against me and my teammates for the charges of committing unlawful assembly. Before Police could reach us, Vasundhara informed about all this mis happening to his father Mr. Veerbhadra Waghela who is a retired army officer, responding upon the same he immediately called his friend Mr. Hukum Singh (Home Minister, Govt. of Indiana) to immediately do something into the matter. Within a span of few hours the FIR against all of them was withdrawn. After these series of events, SKS came into

limelight and the whole incidence got a huge media coverage at national level. After gaining popularity and recognition SKS starts getting more funds from across the country as well as from foreign places. As the funding was increasing day by day, SKS started spreading its activities in a fast pace manner. In order to put a break on SKS activities of conducting public gathering and awareness programs, Government declared SKS as an unlawful association by a notification dated: 05/06/2016 issued under section 3 of Unlawful activities prevention act and also put sanction on SKS funding under section 7 of the same act. This led to huge shortage of funds and as an outcome SKS was left with no other option but to cancel the scholarships of all its student members including mine. Against this untoward act of government of India for falsely purporting SKS as an unlawful organization and also for widely running a propaganda of suppressing the voice of oppressed class, I decided to resurrect a team and start a campaign to unveil the real face of government.

Everything was going as planned, we had a small gathering in a village called Pochinkipur, in district Movatrabad in order to look after the final arrangements and to motivate the team-members & volunteers for the rally which was scheduled to be held next day in Movatrabad. It was around 09:30 P.M. in the night when I got a call from Vasundhara. She informed me about some conspiracy on part of Hukum singh (Home Minister and said that she heard him talking to someone on phone about doing an explosion on Azad chowk when the mass rally would start. She even said that he saw her peeking from the window and listening to the conversation and to that she immediately ran downstairs and went to her car to depart from his house. She said she already had an altercation with her father, who was also furious at me for still being in contact and said that he might as well as confront me regarding the same today. She warned me to run away from Pochinkipur stating that he might get killed at any time. At first, I was confused and I informed this to Ramadhir Singh, wherein he said that there would not be any such thing and asked me focus on the rally and he will see the rest. I continued delivering my

speech, suddenly Mr. Veerbhadra appeared at site and got enraged after listening to my speech and loudly shouted: “*Tejas, you scoundrel*” and I came down the plinth and he shouted that I must stop all such activities against the government and refrain from meeting his daughter. He then took out his gun and started to scare me. When people saw the gun, they started running and soon commotion started, I saw few men, I never saw before trying to get hold of Veerbhadra and in that chaos a shot was fired at me and I felt unconscious.

DW-2: VEERBHADRA SINGH WAGHELA -ACCUSED NO. 2 - (Father of Vasundhara)

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 65 YEAR

OCCUPATION: RETD. ARMY OFFICER

STATEMENT: I am Veerbhadra Singh Waghela, s/o Late. Shri Sukhwinder singh Waghela, residing at House No. 3, Waghela Niwas, Sri Ram Colony, Tunti, Amanabad, Magadh Pradesh. I am a Retired Army Officer recruited in the year 1973 and was part of 7th Rajputana Rifles regiment before I retired in year 2010. In the year 1994 I was blessed with a beautiful girl but what followed the best news of my life, still brings tears in my eyes as after the birth my wife passed away. I named the child Vasundhara after her mother. I was devastated after the incident but the little Vasundhara gave me hope to stand again. I could see the charm of her mother in her eyes. I saw her grow up to be a young brave girl who would do anything to stand for the truth. She was a meritorious girl from the young age. She had been an avid orator in her school days and had been actively involved in various debating competitions and emerged to be one in top. She was compassionate young girl and having lost her mother she was quite sympathetic towards people who had suffered the similar loss. I can still remember days when I had to leave for my duty leaving her alone with house staffs. But I could feel the courage and determination in her to stand against all odds like her mother even after being alone most of the time. After completing her higher secondary education, she appeared for the common entrance test in 2014.

She cleared the examination in her first attempt securing 99.95 %, she was selected for the Indiana's premier business institute IIM-D.

Though I didn't get to talk much to her, after she went to college, I distinctly remember the conversation when she had enthusiastically told me that she had been appointed as the Secretary of the Social Impact Initiative of her college.

I could recall the day when Vasundhara called me up sounding troubled and worried and said that a FIR had been lodged against her and her friends for the offence of Unlawful Assembly. I calmed her down and asked her to calm her friends her too. I immediately called my friend Mr. Hukum Singh who was the serving home minister. I asked him to do something lest her daughter and her friends would soon be in the jail to which replied positively and assured me that he would not let that happen. After few hours I received a call from Vasundhara who stated the FIR against them were withdrawn and they were on their way to the college.

But after the incident Vasundhara seemed to be troubled she told me that she was in a relationship with one of her college friend Tejas who was also with her during the incident. She said that Tejas was involved in the speaking against the policies of the government. She seemed to be upset with the Tejas after the incident. I advised her to not to get involved in such activities again and focus on her studies instead.

On the day of May 2016, I was invited by Hukum Singh for a dinner at his residence in Movatrabad. Vasundra was also home as her vacations had started, I asked to her if she wants to accompany me to the dinner to which she happily accepted. At the residence after the dinner was over, I sat with Hukum Singh for some casual conversation, Hukum seemed to be concerned with the increasing rebellious groups and their continuous disruption in the public order in the region. I soon realized that he was referring to Tejas and his group. I got worried about my daughter who had previously been associated with such groups. I told Hukum about Vasundra's relationship with Tejas and his activities of rebelling the government policies.

Hukum said that a mass rally was also going to take place tomorrow against the turmoil created due to the recent policies as preparations for the same were being done at the Azad Chawk, Ponkichipur situated at the outskirts of Movatrabad. He seemed to be bit concerned with the mass rally and he said that such activities weren't good for his upcoming elections. He even said that in any situation he will stop the mass rally taking place tomorrow. Vasundra listening to the conversation quickly turned towards Hukum and said that Tejas and his team were also going to arrange a campaign tomorrow at the same place. This information came to me as surprise as she had still been in contact with Tejas even when I asked her to stay away from him. I had an altercation with her and she angrily went upstairs, Hukum went upstairs in his room since received a call on his phone. I was having my drinks and started to think that I could not live up to my wife's expectation. After few minutes I felt the main door closing and soon I realized that Vasundhara had left. Hukum came down, he looked stressed and worried. He said that Tejas and his team were in the place named Azad Chowk which was nearby to the residence. I told him that I was thinking to approach Tejas and confronting him about the ongoing relation between him and Vasundra. Hukum Singh told me that there is a *kaccha road* that leads Azad Chowk where Tejas and his team were preparing for the rally, he said few of his people were there in the area giving him information about the rally. I took Hukum's Motorbike and went through an alternate route because of which I did not encounter Vasundra on my way. When I reached at Azad Chowk I saw Tejas I heard him speaking in absurd manner against the government. I came to him and asked him to stop such activities as the government is working for their benefit. Tejas angrily shouted at me that such assurances would not work here and he continued delivering his provocative speech. I took out my gun to scare him but a commotion took place and, in that chaos, gun was fired by me that hit Tejas. At the same time, I heard a sound of explosion nearby which further increased the chaos and people started running from the place. I got hit by a stone and I fell unconscious.

I woke up in the hospital where I came to know that my daughter was killed in the bomb blast and my driver was severely injured.

DW- 3: RAMADHIR SINGH -ACCUSED NO. 3 (Leader of Satyashodhak Krantikari Sanghatan)

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 45

OCCUPATION: SOCIAL ACTIVIST

STATEMENT: I am Ramadhir Singh, S/O Shri Lallan Singh, residing at Ooncha Tila, Raghuram Road, Babudangal, Amanabad, Jharkhand. I am the leader of the Satya Shodak Sangathan, an organization working for the upliftment of the oppressed people of Jharkhand. I have known Tejas from the last 6 years and he was a bright student and an enthusiast towards learning. When I got to know about his excellent performance in his higher secondary school, I thought to offer him a scholarship for his higher education. He cleared CET and was selected for IIMD in 2014. But unfortunately, in the very same the organization went through a turbulent phase where the government used stringent policies to put sanctions upon the working of the organization. This made the disbursement of the scholarships a tough task. But taking into account the hardships that would be suffered by the students I somehow managed to arrange funds to continue their scholarship. Soon we realized that the sanction was a result of propaganda started by the government to devoid the youths from the education and give effect to their double standard policies. I could for All India conference wherein I invited Tejas for his valuable inputs. We discussed the government's hidden agenda behind suppressing the voice of the oppressed. Tejas was so moved that he came up to me and volunteered to be a part of the project for raising funds and sensitizing people against the malpractices of the government.

Tejas kept me informed about the developments of the project. He told me that after the successful completion of the sensitization drive drive by us in Dholokpur village, his team was

declared to be an unlawful assembly and a FIR was lodged against them. Soon Tejas informed me that the FIR against them was withdrawn as one of his team members had contacts with the home minister of the state. After the incident SKS received media coverage and gained popularity amongst the youth of the country. We started receiving funds from across the country for our upliftment and sensitization programs. Perhaps such attention and coverage received by the organization working for the oppressed communities was not appreciated by the government who imposed sanctions against on SKS in order restraint it from conducting public gathering and awareness program. Vide Notification dated: 05/06/2016, the government declared my organization to be an unlawful association hindering the conduction of various pertinent activities of the organization without citing any reason for doing the same. Various channels for the receipt of the funds were blocked due to the sanction upon the funding imposed by the government. Such sanction broke the fundamental monetary support of the organization and we were unable to organize funds for the scholarships of the students.

On 15th of July 2016, Tejas called me and said there is some conspiracy to disrupt the rally and also Vasundhara's father was coming to confront him, I asked him to calm down and said nothing would happen and he should focus on the rally. I assured him to I would see to any issues arising during the rally.

On the same day I received the news that Tejas was shot and Vasundhara was killed in a explosion nearby.

DW- 4: GUDDU SINGH

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 38

OCCUPATION: PAAN SHOP OWNER

STATEMENT: I am Guddu Singh, 38 years old. I own a Paan Shop at Azad chowk in Pochinki, Dist. Movatrabad. On the date of incident, at around 10:00 PM I saw an altercation between

two people. That altercation further escalated and, in the meanwhile, one of them took out his gun which led to commotion. Amidst all this chaos I heard a gunshot which followed by a loud sound of explosion from the other side. I could not figure out as to what happened at the very first instance. After few minutes passed, I saw two bodies lying down one at the platform and another on the road. Also, I heard people shouting about some bomb explosion. Thereafter, I immediately called the police informing them about the entire episode. It took around 10-15 minutes for them to reach the place of incident. After examining the bodies police found out that both were alive so they immediately called the ambulance. As the ambulance arrived, they took the bodies and left for hospital. Meanwhile the police sealed the place and started investigating the scene.

DW- 5: NAVNEET PANDEY

[Under Sec. 161 CrPC]

SEX: MALE

AGE: 40

OCCUPATION: HOUSE SERVANT

I am Navneet Pandey, 40 years old. I have been a servant at Hukum Singh's House from last 10 years. On the date of incident, I was in the house since a function was organized by Hukum Sir and he had invited his friend Veerbhadra Singh who came along with his daughter Vasundhara. I served drinks to Veerbhadra and Hukum Sir and they had a long regarding some rally going to be organized. I have seen Hukum Sir concerned in the recent times due to the growing rebellious activities and I have heard him talking to people for restricting such activities since it would be detrimental to the upcoming elections. That day at around 9:20 pm I saw Vasundhara peeking through window into the room of Hukum Sir where he was talking to someone. Suddenly I saw her terrified and she immediately ran downstairs towards her car. I saw Hukum Sir also coming downstairs, Veerbhadra was having his drinks and didn't notice his daughter leave. Hukum Sir had some conversation with Veerbhadra and he handed over his gun to him after which he left the house.