



CHRIST
(DEEMED TO BE UNIVERSITY)
BANGALORE • INDIA

School of Law, CHRIST (Deemed to be University)

**5TH NATIONAL TRIAL ADVOCACY & JUDGMENT WRITING
COMPETITION**



TRIAL PROPOSITION



THE 5TH NATIONAL TRIAL ADVOCACY
AND JUDGMENT WRITING COMPETITION



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DISCLAIMER

This Trial Proposition is solely for the purpose of 5th SLCU National Trial Advocacy and Judgment Writing Competition 2019-2020. The contents of the same are purely imaginary and neither intends nor attempts to resemble any incident or any person living or dead. All materials, names, characters, locations, dates etc. in the trial proposition are fictitious and do not intend to or attempt to hurt the feelings or sentiments of any community or degrade the values and ideologies of any group of people, religion or individual. Any resemblance to the same is unintended and merely a coincidence.

UNDISPUTED FACTS

1. Enntak Private Limited Company (registered under Companies Act 2013) developed a new drug called 'Outrider' to cure Ebola. The said drug was granted patent and certified by the Drugs Controller Governor of India as marketable for the Indian market in February 2015.
2. The said Company comprises of two pharmaceutical scientists, namely, Mr. Byomkesh Saini & Mr. Aviraj Singh and one financier, namely, Ms. Nandana A.
3. Ms. Nandana A. is the daughter of a famous and powerful politician Mr. Arun, former Home Minister of India. Ms. Nandana is the Benami owner of the said Company. However, as per the documents the other two scientists are the owners of the said Company.
4. Mr. Byomkesh Saini wanted the Outrider to be manufactured by Enntak Private Limited and be sold at a cheap price in the market. However, their rival pharmaceutical company, Diplo Private Limited wanted to purchase the Outrider from them, considering huge profits that they could reap from it.
5. Byomkesh Saini dies under suspicious circumstances on 17th September 2015.
6. Investigating Officer, C.I. Chaitra Vinay arrests Aviraj Singh and Ms. Nandana A. for the murder of Byomkesh Saini on 2nd October, 2015.
7. On 5th October 2015 disciplinary proceedings are initiated against C.I. Chaitra Vinay on the ground of alleged mishandling of evidence during the course of investigation.



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8. Sethu Ram Iyer, ACP of Howdy City, is appointed as the new Investigating Officer for investigating the suspicious death of Byomkesh Saini. Ms. Nandana is released from the list of suspects whereby she is released from the jail on 10th October 2015.
9. Confessional Statement (Annexure No. 18 of the Final Report) given by the Personal Secretary of Mr. Nangesh Chindi, Sukumar Jose, was recorded by the Judicial Magistrate of Nukeland, State of Chill Nadu, in conformity with Section 164 of Code of Criminal Procedure (“Cr.P.C.”) on 6th November 2015.
10. ACP Sethu Rama Iyer filed the Final Report against Aviraj Singh, Sukumar Jose and Nangesh Chindi under Section 302 r/w 120B, 149, 201, 204 and 304-A of Indian Penal Code (“I.P.C.”) on 1st December 2015.
11. The three Accused, namely Aviraj Singh, Sukumar Jose and Nangesh Chindi were declared ‘Proclaimed Offenders’ by the Sessions Court on 1st October 2016. The due procedure was followed, their respective properties were attached and all the requirements were met for the said Declaration.
12. Meanwhile, by February 2017 the Sessions Court, Howdy City began recording the evidence under Section 299 of the Cr.P.C. The following witnesses had their statements recorded under Section 299 of the Cr.P.C. – (1) Ananth Honde, (2) Siri Ponna, (3) Pradyuman Oberoi, (4) Shanaya Kapoor and (5) Dr. Popeye Chaudary. Their statements are same as the statements given by them under Section 161 of Cr.P.C. (Annexure No. 10 of the Final Report). Statement given by Dr. Popeye Chaudary under Section 299 of the Cr.P.C. is same as the Post-Mortem Report (Annexure No. 12 of the Final Report).
13. On their way back from Colombo of Sree Lanka, all of them were arrested on 31st December 2018 by the Police at Howdy City Kempegowda International Airport.
14. Dr. Popeye Chaudary dies of slow poison on 2nd January 2016 at his house at Howdy City, soon after deposing before the Sessions Court under Section 299 of the Cr.P.C.



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15. The handwriting of Note found in the wallet (I.O. Marking 2B/986/2015, Annexure No. 6 of the Final Report) matches to the handwriting found in the Diary of the Deceased (Annexure No. 13 of the Final Report).
16. According to the Order of the Sessions Court, Howdy City all the witnesses earlier examined under Section 299 of the Cr.P.C. are to be re-examined. In furtherance of this, the Summons are issued to all the concerned Witnesses and the Trial is scheduled to commence on 13th day of December 2019 at 11:00 A.M. before the Principal Judge, Court of Sessions, Howdy City.





THE 5TH NATIONAL TRIAL ADVOCACY
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IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
HOWDY CITY

S.C. No. 420/2016

In the matter between:

C. C. No. 421/2015

State of Supra Pradesh

...Prosecution

v/s

Aviraj Singh and Others

...Defence

To,

- 1) Mr. Ananth Honde
- 2) Ms. Siri Ponna
- 3) Mr. Pradyuman Oberoi
- 4) Ms. Shanaya Kapoor
- 5) Dr. Olive Boyle
- 6) Ms. Chaitra Vinay
- 7) Mr. Purushotham H.
- 8) Ms. Madhevi Suresh
- 9) Mr. Guman Gada
- 10) Mr. Vadivelu Locala
- 11) Mr. Ananth Kumar

ORDER

(Deemed to be proved and taken on record)

In pursuance of the information that has been laid before me that the three accused: (1) Aviraj Singh, (2) Nangesh Chindi and (3) Sukumar Jose in the present matter, have been arrested and taken into custody by the Howdy City Police on the 31st day of December 2018, for committing the offence of Murder and are punishable under Sections 302 r/w 120B, 149, 201, 204 and 304-A



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of the Indian Penal Code, 1860, and it appears to me that you are likely to give material evidence or to produce any document or other thing for the prosecution;

I, Shubham Sridhar, Principal Sessions Judge, Howdy City, do hereby order that the re-examination of the concerned witnesses in the present matter be conducted on the 13th day of December 2019, at 10 A.M. before this Court and hereby summon the concerned witnesses to appear for the same and produce such document or thing or testify on the matter of the complaint before me. A warrant shall be issued to compel your attendance if you neglect or refuse to appear without just excuse.

Seal: Deemed to be affixed

Signature of the Judge: **Sd/-**

Date: 17.09.2019

Shubham Sridhar





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IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
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S.C. No. 420/2016

In the matter between:

C. C. No. 421/2015

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To,

- 1) Mr. Ananth Honde
- 2) Ms. Siri Ponna
- 3) Mr. Pradyuman Oberoi
- 4) Ms. Shanaya Kapoor
- 5) Dr. Popeye Chaudary
- 6) Ms. Chaitra Vinay
- 7) Mr. Purushotham H.
- 8) Ms. Madhevi Suresh
- 9) Mr. Guman Gada
- 10) Mr. Vadivelu Locala
- 11) Mr. Ananth Kumar



ORDER

(Deemed to be proved and taken on record)

Whereas an order has been passed declaring the three accused in the instant matter: (1) Aviraj Singh, (2) Nangesh Chindi and (3) Sukumar Jose, as Proclaimed Offenders since it has been shown to my satisfaction that the accused have absconded;



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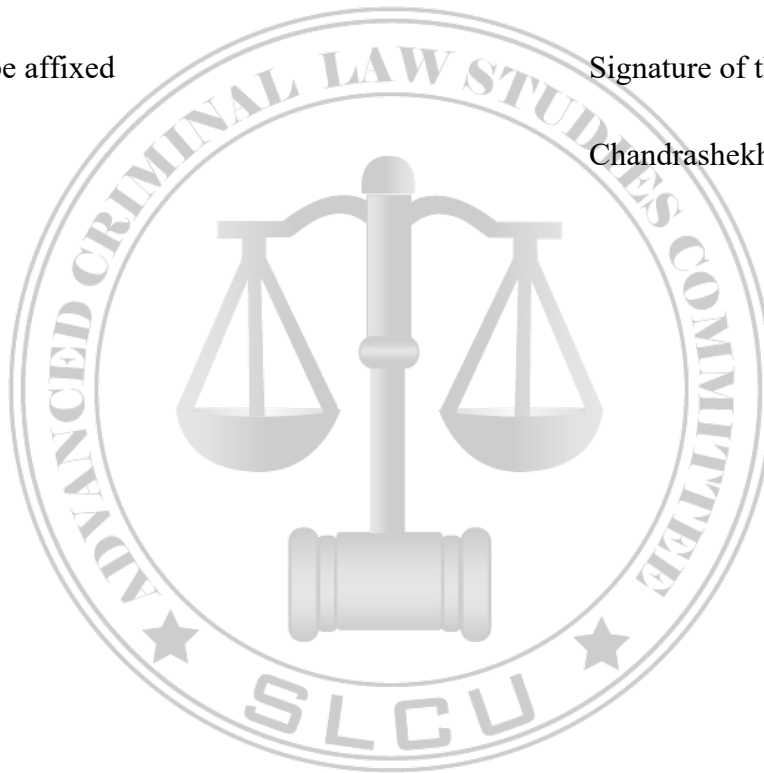
I, Chandrashekar Ramalingam, Principal Sessions Judge, Howdy City, do hereby order that the examination of the concerned witnesses who are likely to give material evidence or produce any document or other thing for the Prosecution shall be conducted from the 25th day of February 2017 at 10 AM under Section 299 of The Code of Criminal Procedure, 1973 in the absence of the accused, and hereby summon the concerned witnesses to appear for the same and produce such document or thing or testify on the matter of the complaint before me. A warrant shall be issued to compel your attendance if you neglect or refuse to appear without just excuse.

Seal: Deemed to be affixed

Signature of the Judge: Sd/-

Date: 02.02.2017

Chandrashekhar Ramalingam





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IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
HOWDY CITY

S.C. No. 420/2016

In the matter between:

C. C. No. 421/2015

State of Supra Pradesh

...Prosecution

Aviraj Singh and Others

...Defence

v/s

ORDER

(Deemed to be proved and taken on record)

Whereas complaint has been made before me that the three accused: (1) Aviraj Singh, (2) Nangesh Chindi, (3) Sukumar Jose have committed the offence under Section 302 r/w 120B, 149, 201, 204 and 304-A of the Indian Penal Code, 1860, and it has been returned to a warrant of arrest thereupon issued that the said accused cannot be found, and whereas it has been shown to my satisfaction that the said accused have absconded,

I, Anto Junjunga, Principal Sessions Judge, Howdy City, do hereby proclaim that the three accused: Mr. Aviraj Singh, Mr. Nangesh Chindi and Mr. Sukumar Jose are required to appear at Howdy City before this Court to defend their case on the 13th day of December 2016, at 10 A.M.

Seal: Deemed to be affixed

Signature of the Judge: Sd/-

Date: 01.10.2016

Anto Junjunga



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IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
HOWDY CITY

S.C. No. 420/2016

In the matter between:

C. C. No. 421/2015

State of Supra Pradesh

...*Prosecution*

Aviraj Singh and Others

...*Defense*

v/s

ORDER

(Deemed to be proved and taken on record)

In pursuance to the Committal Order issued by the learned 4th Additional Metropolitan Magistrate dated 02.01.2016, and wherefore information has been laid before me and on the consideration thereof, I have reasons to believe that the accused: (1) Aviraj Singh, (2) Nangesh Chindi and (3) Sukumar Jose who are Accused 1 (A1), Accused 2 (A2) and Accused 3 (A3) respectively are alleged for having conspired to and committed the offence of Murder of on Mr. Byomkesh Saini by pushing him off the roof of Diplo Towers, Howdy City on 17.09.2015 at about between, 08.30 P.M. – 09.00 P.M.

I, Anto Junjunga, Principal Sessions Judge, Howdy City do hereby charge the above mentioned two accused for the offences committed which are punishable under section(s) 302 r/w 120B, 149, 201, 204 and 304-A of I.P.C. and do hereby direct that you all be tried by this Court for the above said offence from the date as specified.

The contents of the Charge have been read over and explained to all the three accused and the following questions were asked:



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Accused No. 1: Mr. Aviraj Singh

Q. Mr. Aviraj Singh, have you heard and understood the contents of Charges formed against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

Accused No. 2: Mr. Nangesh Chindi

Q. Mr. Nangesh Chindi, have you heard and understood the contents of Charges formed against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

Accused No. 3: Mr. Sukumar Jose

Q. Mr. Sukumar Jose, have you heard and understood the contents of Charges formed against you?

Ans. Yes

Q. Do you plead guilty for the same or claim Trial?

Ans. I plead not guilty and wish to contest in the Trial proceedings.

The Summons is issued to all the concerned Witnesses and the Trial is scheduled to commence on 23rd of March 2016 at 11:00 A.M. before this Court.

Seal: Deemed to be affixed

Date: 01.03.2016

Signature of the Judge: **Sd/-**

Anto Junjunga



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AND JUDGMENT WRITING COMPETITION



IN THE COURT OF THE 4TH ADDITIONAL METROPOLITAN MAGISTRATE,
HOWDY CITY

C. C. No. 421/2015

In the matter between:

State of Supra Pradesh

...*Prosecution*

v/s

Aviraj Singh and Others

...*Defense*

COMMITAL ORDER

(Deemed to be proved and taken on record)

Whereas information has been laid before me and on the consideration thereof, I have reasons to believe that all the accused: (1) Aviraj Singh, (2) Nangesh Chindi and (3) Sukumar Jose who are Accused 1 (A1), Accused 2 (A2) and Accused 3 (A3) respectively are alleged for having conspired to and committed the offence of Murder of one Mr. Byomkesh Saini by pushing him off the roof of Diplo Towers, Howdy City on 17.09.2015 at about between, 08.30 P.M. – 09.00 P.M.

Since the offences are under Section(s) 302 r/w 120B, 149, 201, 204 and 304-A of Indian Penal Code, 1860, it is exclusively triable by the Court of Sessions at Howdy City. Notice of the Committal Order has been given to the Public Prosecutor. Copies of the Final Report of the Investigating Officer have been given to both the accused.

Seal: Deemed to be affixed

Signature of the Judge: **Sd/-**

Date: 02.01.2016

Vishnu Pataudi



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THE FINAL REPORT OF INVESTIGATING OFFICER

(Under Section 173 Cr. P. C.)

Form No. 42.024

1. Details

- a. **District:** Howdy City
- b. **P.S.:** Model Town
- c. **Year:** 2015
- d. **FIR No.:** 986/2015

2. Final Report/ Charge Sheet No: 568/2015

3. Date: 1st December 2015

4. Act: Indian Penal Code

Section(s): 302 r/w 120B, 149, 201, 204 and 304-A

5. Type of Final Form Report: Charge-Sheet

6. If supplementary or Original: Original

7. Name of the I.O.: Sethu Rama Iyer

Rank: ACP

No.: 687/Howdy City

8. Name of the Complainant/ Informant: Ananth Honde

9. Date of properties/ Articles/ Documents recovered/seized during investigation:

Sr. No.	Property Description	Estimated Value (in Rs.)	P.S. Property No.	From whom/where Recovered or Seized
1.	Sample of blood splattered on the pavement		1A/986/2015	Pavement in front of the entrance of Diplo Towers, Maharaja Road, Howdy City



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2.	Sample of blood found on broken piece of glass		1B/986/2015	Pavement in front of the entrance of Diplo Towers, Maharaja Road, Howdy City
3.	Blood stained piece of glass pane		1C/986/2015	Pavement in front of the entrance of Diplo Towers, Maharaja Road, Howdy City
4.	Broken Watch		2A/986/2015	Roof-top of Diplo Towers, Maharaja Road, Howdy City
5.	Wallet		2B/986/2015	Roof-top of Diplo Towers, Maharaja Road, Howdy City
6.	Drinking Glass		2C/986/2015	Roof-top of Diplo Towers, Maharaja Road, Howdy City
7.	Video Footage of the Staircase		3A/986/2015	Diplo Towers, Maharaja Road, Howdy City

10. Particulars of the Accused Persons charge-sheeted:

10.1 Accused No. 1

- i. Name: Aviraj Singh Whether verified: Yes
- ii. Father's Name: Dukhwant Singh
- iii. Age: 40 years DOB:02.09.1975
- iv. Sex: Male
- v. Blood group: B -ve
- vi. Nationality: Indian
- vii. Religion: Sikh



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viii. **Whether SC/ST:** No

ix. **Address:** #24, K- Town Marg, Howdy City - 89

Whether verified: Yes

x. **Provisional Crime No.:** 568/2015

xi. **Regular Crime No.:** N/A

xii. **Date of Apprehended:** 2nd October 2015

xiii. **Date of Release on Bail:** 15th March 2016

xiv. **Date on which forwarded to Court:** 4th October 2015

xv. **Under Acts & Section:** Section 302 r/w 120B, 149, 201 and 204, I.P.C.

xvi. **Name of bailer/sureties and Address(es):**

xvii. **Previous conviction with case reference/A**

xviii. **Status of the accused:** Judicial Custody

xix. **Medical Examination Report:** Yes Attached

10.2 Accused No. 2

i. **Name:** Nangesh Chindi

Whether verified: Yes

ii. **Father's Name:** Pangesh Chindi

iii. **Age:** 35 years **DOB:** 09.03.1980

iv. **Sex:** Male

v. **Blood group:** A+ve

vi. **Nationality:** Indian

vii. **Religion:** Hindu

viii. **Whether SC/ST:** No

ix. **Address:** 2/22, Satya Sai Nagar, Howdy City- 56

Whether verified: Yes

x. **Provisional Crime No.:** 568/2015

xi. **Regular Crime No.:** N/A

xii. **Date of Apprehended:** 1st November 2015

xiii. **Date of Release on Bail:** 15th March 2016

xiv. **Date on which forwarded to Court:** 2nd November 2015

xv. **Under Acts & Section:** Section 302 r/w 120B, 149, 201 and 204, Indian Penal Code

xvi. **Name of bailer/sureties and Address(es):**



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xvii. Previous conviction with case reference/A

xviii. Status of the accused: Judicial Custody

xix. Medical Examination Report: Yes Attached

10.3 Accused No. 3

i. Name: Sukumar Jose

Whether verified: Yes

ii. Father's Name: Jim Jose

iii. Age: 26 years DOB: 07.11.1989

iv. Sex: Male

v. Blood group: B+ve

vi. Nationality: Indian

vii. Religion: Christian

viii. Whether SC/ST: No

ix. Address: St Marks Colony, RK Nagar, Howdy City - 79 Whether verified: Yes

x. Provisional Crime No.: 568/2015

xi. Regular Crime No.: N/A

xii. Date of Apprehended: 1st November 2015

xiii. Date of Release on Bail: 15th March 2016

xiv. Date on which forwarded to Court: 2nd November 2015

xv. Under Acts & Section: Section 302 r/w 120B, 149, 201 and 204, Indian Penal Code

xvi. Name of bailer/sureties and Address(es):

xvii. Previous conviction with case reference/A

xviii. Status of the accused: Judicial Custody

xix. Medical Examination Report: Yes Attached

11. Brief course of the Investigation:

Based on the dying declaration given by the deceased Byomkesh Saini in the ambulance on the 17.09.2015 reveals the murder of Byomkesh Saini, a scientist. Upon the investigation by the former Investigating Officer, deceased's co-scientist Aviraj Singh working on a project with the deceased and Nandana A, the financier of the Enntak Company were arrested.



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However, upon subsequent investigation and discovery of the personal diary of the deceased reveals a strenuous relationship shared between the deceased and Aviraj Singh and a neutral stance by the financier of the company. Aviraj Singh wanted to sell a drug, Outrider, to the Diplo whereas the deceased had opposed the idea. Evidence has been gathered to prove the altercation that took place between the deceased and the Director of Diplo along with Aviraj Singh on 2nd April 2015. A bank transaction between Aviraj Singh and the Director of Diplo was subsequently found in furtherance of the deal of selling the drug to the Company. Hence Nangesch Chindi had been arrested on 01/11/2015 at Diplo Towers and subsequently produced before the Magistrate on 02/11/2015. The post mortem report had been conducted on 18/09/2015 and the results were obtained at 22/09/2015 which substantially adduced and validated the evidence that there were injuries present on the body during an altercation on the rooftop which was the primary cause of death.

12. List of Prosecution Witnesses:

1. Ananth Honde
2. Siri Ponna
3. Pradyuman Oberoi
4. Shanaya Kapoor
5. Popeye Chaudary
6. Chaitra Vinay
7. Purushotham H.
8. Madhevi Suresh
9. Guman Gada
10. Vadivelu Locala
11. Ananth Kumar

Forwarded by the Station House Officer/ Officer-in-charge.

Sd/-

Name: Sethu Rama Iyer

Rank: ACP, Howdy City

Signature of the I.O. submitting the Final Report: Sd/-



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ANNEXURE NO. 1

FIRST INFORMATION REPORT

1. **District:** Howdy City **P.S.:** Model Town
2. **FIR No.:** 986/2015 **Date:** 17.09.2015
3. **(i) Act:**
(ii) Section(s):
4. **Time of Occurrence of offence:** between 08.30 P.M- 08.55 P.M.
5. **Information received at P.S.:** 08.55 P.M. on 17th September, 2015
6. **Type of information:** Oral (By Telephone)
7. **Place of Occurrence:** Diplo Towers, Howdy City
 - a) **Direction and distance from P.S:** 4 KM South-West
 - b) **Address:** Diplo Towers, Maharaja Road, Howdy City - 34
 - c) **In case, outside the limit of this Police Station, then Name of P.S.:** N.A.
8. **Details of known/suspected/unknown accused with full particulars:** Not Given
9. **Reasons for delay in reporting by the complainant/ informant:** No Delay
10. **Inquest Report/ U.D. case No., if any:** Attached separately.
11. **First Information contents:**

My name is Ananth Honde. I'm the security guard of Diplo Towers, Maharaja Road for the past 8 years. At around 8:50 P.M, I had gone to turn on the generator. When I was doing this, I heard glass crashing and a loud thud on the ground and heard some screams from the roof. That's when I ran. I saw that the glass canopy over the entrance was shattered and 2 men were lying down on the pavement, severely injured. I immediately called for ambulance first, and then called the police.



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12. Action taken: A case of accident is registered. The investigation has been handed over to Chaitra Vinay, C.I., Model Town Police Station.

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.

13. Signature/ thumb impression of the complainant/ informant:

Sd/-

Ananth Honde

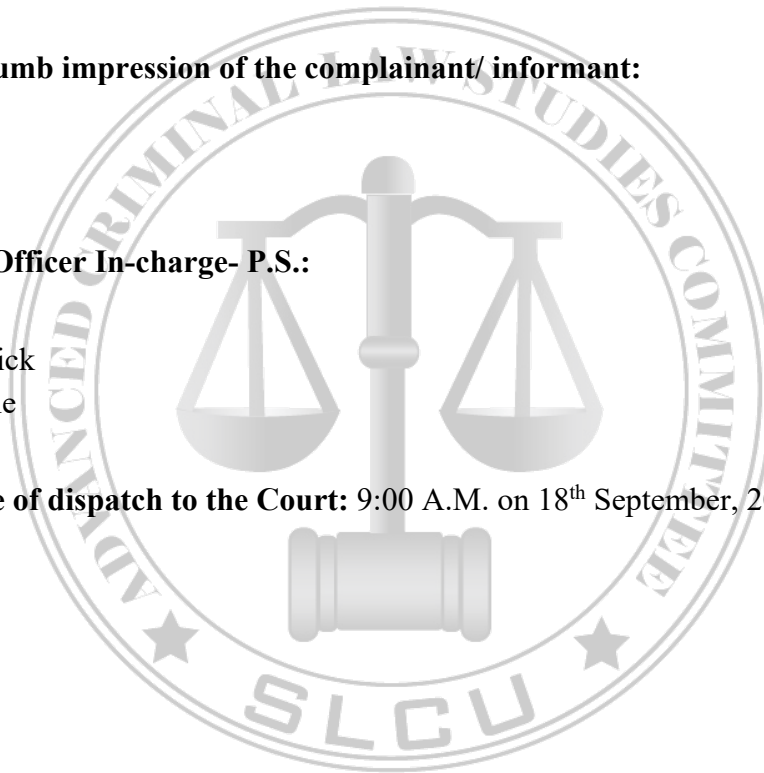
14. Signature of Officer In-charge- P.S.:

Sd/-

Hari Om Mullick

Head Constable

15. Date and time of dispatch to the Court: 9:00 A.M. on 18th September, 2015.





ANNEXURE NO. 2

INQUEST REPORT

1. **District:** Howdy City
2. **Police Station:** Model Town
3. **Date and Time of receiving information about the death:** 9.15 P.M., 17.09.2015
4. **Details of the Witnesses:**
 - (i) Rajesh Chawala
Age: 23 years
Residing at: No. 23, Rain Colony, PS Marg, Howdy City.
 - (ii) Suresh Pandey
Age: 29 years
Residing at: No.2/25, Khaitan Apartments, GM Road, Howdy City.
5. **Details of the Deceased:**

Name- Mr. Byomkesh Saini
Age- 38 years
Sex- Male
Address- No. 5/25, Mangaldas Colony, Mallesh Nagar, Howdy City
6. **By whom first found dead:** Paramedic Siri Ponna and Thomas Koshy who were accompanying the deceased in the ambulance.
7. **Time and place where body was found:** The body was found at around 09:00 P.M. on the pavement right outside the Diplo Towers.
8. **Last person to see the deceased alive:** Paramedic, Siri Ponna of Orange Hospital.
9. **Time and place where person was last seen alive:** 9:05 P.M., by the two paramedics in the ambulance.
10. **Dead body identified by** Driver's License found on him
11. **Marks of Identification, if any:** None



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- 12. Height and weight of the deceased:** 6 ft- 1 inch, 78 kgs.
- 13. Relatives present at the inquest:** None.
- 14. Spot where corpse was found:** Ambulance.
- 15. Status of body when found:** The deceased was lying unconscious and bleeding from his head. Impact on the ground from a huge fall had led the body to be in a state of shock. Deceased had brief intervals of consciousness for about 10 minutes and passed away in the ambulance.
- 16. Injuries and marks on the body:** Multiple blunt force injuries found due to the impact on the glass and subsequent fall from a distance. Lacerated wounds on the head. Body also had deep incisive wounds. Nose was bleeding.
- 17. Nature of wounds:** Blunt force as well as incisive wounds found on body of the deceased.
- 18. Condition of clothes/ ornaments:** Deceased was wearing formal pants and shirt which had minor tears on them and blood splotches on the shirt.
- 19. Marks of violence or struggle:** 4 finger impressions on left wrist.
- 20. Apparent cause of death:** Fall from the 7th Floor i.e., the rooftop of the Diplo Towers. Height of around 35 meters.
- 21. If any person suspected, who and why:** No suspect available at the moment. However, witnesses did see the deceased having a heated argument with one Ms. Nandana A. on the night of the death.
- 22. Present status of body:** Body has been sent to Vidhayarthi (Bhavan) Hospital for autopsy.

Witness 1 – Rajesh Chawala: Sd/-

Witness 2 – Suresh Pandey: Sd/-

Name of the I.O.: Chaitra Vinay

Rank: C.I., Model Town P.S.

Sign of the I.O.: Sd/-



THE 5TH NATIONAL TRIAL ADVOCACY
AND JUDGMENT WRITING COMPETITION



ANNEXURE NO. 3

PANCHNAMA -1

Pancha No. 1: Guman Gada

Age: 33 years

Residing at #13, 3rd Cross, Harjanagar, Howdy City.

Date: 17/09/2015

Pancha No. 2: Vadivelu Locala

Age: 25 years

Residing at #45, 2nd Main, B.B. Puram, Howdy City.

We, the above mentioned Panchas, were called by C.I. Chaitra Vinay, Investigating Officer to act as Panchas in the present case at about 09.05P.M. of 17th of September 2015. We were taken to the pavement right in front of the entry of Diplo Towers, Maharaja Road, Model Town.

We could see the semi-dried pool of blood splattered and rumble of glass pieces on the pavement. We saw that the glass awning above the building's entrance was shattered. There were some small, sharp pieces of glass with blood stains.

The Investigating Team with gloved hands, moistened the cotton swab with distilled water and collected samples from two different places i.e., (i) the blood splattered on the pavement, (ii) the blood found on the glass. Each swab was placed in separate transparent packages with I.O. marking as 1A/986/2015 and 1B/986/2015, respectively and placed inside an envelope and finally sealed by the Investigating Team in front of us. The Investigating Officer with gloved hands, sealed the blood-stained pieces of glass pane. The same was marked as 1C/986/2015.

Except for the above-mentioned items, no other item/ property was seized by the police in our presence. The Panchnama concluded at about 09.35 P.M. on the same day and it was conducted in an orderly manner. The contents of the Panchnama were read over to us and are correctly recorded.

Pancha No. 1 – Guman: Sd/-

Pancha No. 2 – Vadivelu Locala: Sd/-

Name of the I.O.: Chaitra Vinay

Rank: C.I., Model Town P.S.

Sign of the I.O.: Sd/-



THE 5TH NATIONAL TRIAL ADVOCACY
AND JUDGEMENT WRITING COMPETITION



ANNEXURE NO. 4

PROPERTY SEIZURE MEMO-1

1. **District:** Howdy City **P.S.:** Model Town
2. **FIR NO./ GD NO.:** 986/2015 **Date:** 17.09.2015
3. **Property seized/ recovered/ discovered at:** Pavement in front of the entrance of Diplo Towers, Maharaja Road, Howdy City.
 - (a) **Date:** 17.09.2015
 - (b) **Time:** between 09.05 P.M. to 09.35 P.M.
 - (c) **Address of place from where seized/ recovered:** Pavement in front of the entrance of Diplo Towers, Maharaja Road, Howdy City.
4. **Witnesses:**
 - (i) Guman Gada
Age: 33 years
Residing at #13, 3rd Cross, Harjanagar, Howdy City.
 - (ii) Vadivelu Locala
Age: 25 years
Residing at #45, 2nd Main, B.B. Puram, Howdy City.
5. **Action taken/ recommended for disposal of perishable property:** Nil
6. **Action taken/ recommended for keeping of valuable property:** Packed, sealed and sent to the safe custody of the Model Town P.S. Howdy City.
7. **Identification required:** Yes
8. **Details of properties seized/ recovered:**

Sr. No.	Property Description	I.O. Marking
1.	Sample of blood splattered on the pavement	1A/986/2015
2.	Sample of blood found on broken piece of glass	1B/986/2015



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3.	Blood stained piece of glass pane	1C/986/2015
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Witness 1- Guman Gada: Sd/-

Name of the officer: Chaitra Vinay

Rank: C.I., Model Town P.S.

Witness 2- Vadivelu Locala: Sd/-

Sign of the I.O.: Sd/-





THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE NO. 5

PANCHNAMA -2

Pancha No. 1: Guman Gada

Age: 33 years

Residing at #13, 3rd Cross, Harjanagar, Howdy City.

Date: 17/09/2015

Pancha No. 2: Ananth Kumar

Age: 25 years

Residing at #42, 2nd Main, Sirsi Circle, Howdy City.

We, the above mentioned Panchas were called by ASI Chaitra Vinay, Investigating Officer to act as Panchas in the present case at about 09.45P.M. of 17th of September 2015. We were taken to the roof-top of Diplo Towers. It looked like there had been some kind of party going on.

The Investigating Team, in front of us, with gloved hands collected a broken watch, wallet and a drinking glass. The same was collected from the place where the Investigating Officer informed us that the deceased might have fallen/jumped. We were shown the contents of the wallet, it contained (i) credit card of ACLSC Bank, in the name of one Byomkesh Saini, (ii) a photograph of man and wife, (iii) ten notes of Rupees 500, (iv) a driver's license of one Byomkesh Saini and (v) a written note. The contents were put back in the wallet before being sealed off. Each abovementioned item was placed in separate transparent packages with I.O. marking it as 2A/986/2015, 2B/986/2015 and 2C/986/2015 respectively and placed inside an envelope and finally sealed by the Investigating Team in front of us.

Except for the above-mentioned items, no other item/ property was seized by the police in our presence. The Panchnama concluded at about 11.45 P.M. on the same day. It was conducted in an orderly manner. The contents of the Panchnama were read over to us and are correctly recorded.

Pancha No. 1 – Guman: Sd/-

Name of the I.O.: Chaitra Vinay

Pancha No. 2 –Ananth Kumar: Sd/-

Rank: C.I., Model Town P.S.

Sign of the I.O.: Sd/-



THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE NO. 6

PROPERTY SEIZURE MEMO-2

1. **District:** Howdy City **P.S.:** Model Town
2. **FIR No./ GD No.:** 986/2015 **Date:** 17.09.2015
3. **Property seized/ recovered/ discovered at:**
 - (a) **Date:** 17.09.2015
 - (b) **Time:** between 09.45 A.M. – 10.15 P.M.
 - (c) **Address of place from where seized/ recovered:** Roof-top of Diplo Towers,
Maharaja Road, Howdy City.
4. **Witnesses:**
 - (i) Guman Gada
Age: 33 years
Residing at #13, 3rd Cross, Harjanagar, Howdy City.
 - (ii) Ananth Kumar
Age: 25 years
Residing at #42, 2nd Main, Sirsi Circle, Howdy City.
5. **Action taken/ recommended for disposal of perishable property:** Nil
6. **Action taken/ recommended for keeping of valuable property:** Packed, sealed and sent to
the safe custody of the Model Town P.S. Howdy City
7. **Identification required:** Yes
8. **Details of properties seized/ recovered:**

Sr. No.	Property Description	I.O. Marking
1.	Broken Watch	2A/986/2015
2.	Wallet	2B/986/2015



THE 5TH NATIONAL TRIAL ADVOCACY
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3.	Drinking glass	2C/986/2015
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Witness 1-Guman Gada: Sd/-

Name of the officer: Chaitra Vinay

Rancic., Model Town P.S.

Witness 2-Ananth Kumar: Sd/-

Signature: Sd/-



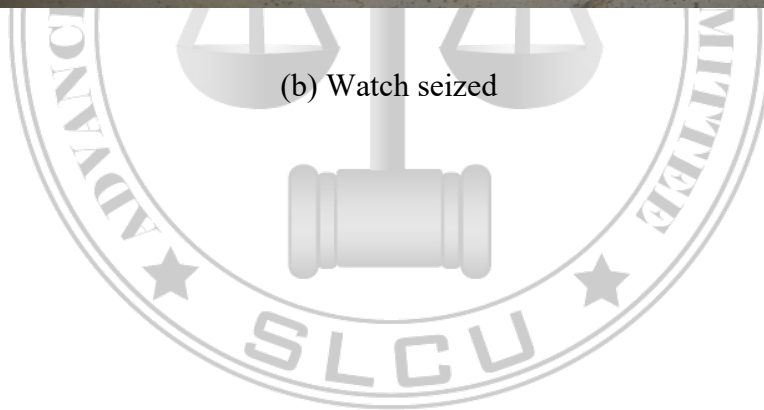
(a) Part of rooftop, from where property seized.



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(b) Watch seized



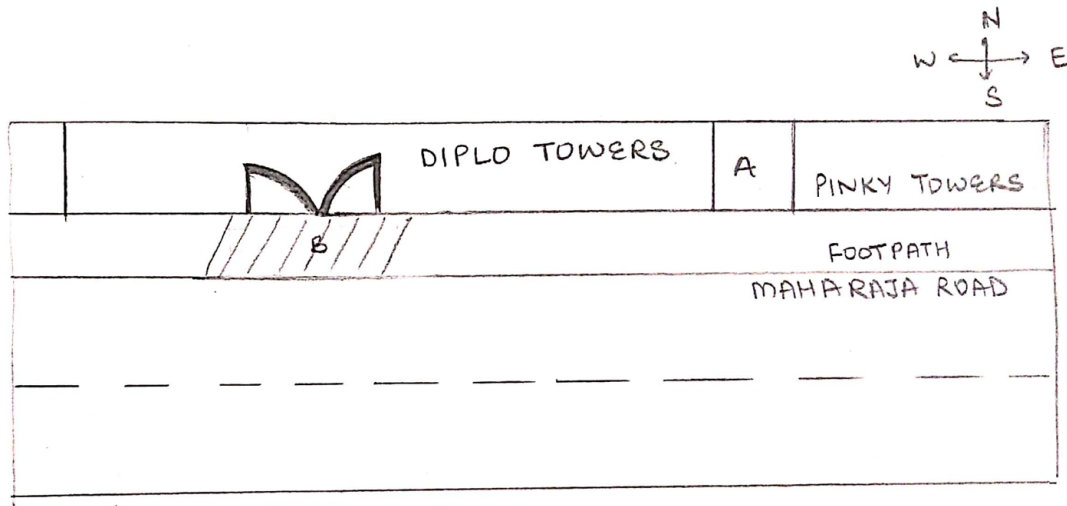


THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE No. 7

SPOT MAP



- ☐ A - Service Room, Diplo Towers
☒ B - Fallen Glass Awaiting





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ANNEXURE NO. 8

CASUALTY CERTIFICATE

1. **Serial No:** 665/2015

2. **Name of Doctor:** Aishwarya Katbole

3. **Designation:** M.B.B.S.

4. **Date and time of examination:** 17/ 09/ 2015, _____ P.M.

5. **Name:** Byomkesh Saini

Age: 38 years.

Sex : male

6. **Address:** No. 5/25, Mangaldas Colony, Mallesh Nagar, Howdy City

7. **Identification marks:**

8. **Brought by (Name & address):** Siri Ponna, Paramedic

9. **History and alleged cause of injury:**

Injury caused due to fall from rooftop of a 7- storey building leading to impact with glass awning causing injuries from the glass pieces and subsequent fall and impact on the ground.

10. **Details of injuries:**

Glass particles found in incisive wounds, as a result of forceful impact with glass, which have caused cuts on head, neck and damaged nervous system which was an immediate cause of death.

11. **Number of additional sheets (if any):** None

12. **Whether admitted or not:** Not Admitted (was dead before being admitted in the hospital)

13. **Opinion:** Could be / could not be as alleged.

14. **Injuries appeared:** Fresh

Signature of Issuing Officer: Sd/-

Geetanjali S.

Signature of Doctor: Sd/-

Aishwarya Katbole



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AND JUDGMENT WRITING COMPETITION



ANNEXURE No.9

MEDICO- LEGAL INJURY CERTIFICATE

ORANGE HOSPITAL

Serial No.: CC17/ 2015

Date: 17.09.2015

1. **Name of the person:** AIYAPPA GANESAN
2. **Age:** 26
3. **Sex:** Male
4. **Address:** 3rd Main, 4th Cross, KG Nagar, Howdy City
5. **Height and Weight:** 5 ft. 11 inches, 69 kgs.
6. **Ref. Crime No. 986/2015 of** Model Town **Police Station**
7. **Alleged Time of Offence:** about 9.00 PM
8. **Consent for Examination:** Received from patient
9. **Name and Designation of Medical Officer who conducted the Examination:** Dr. Shreeja K. Jacob, Assistant Medical Officer
10. **Date and Time of Examination:** 17/09/2015 at about 9.15 pm
11. **Marks of Identification:** Birthmark near right ear
12. **Type of Injury:** Multiple deep cuts on the back and shoulder region. Minor bruises on arms and legs also present.
13. **Alleged cause of injury:** Injury caused due to pieces of glass canopy on the patient.
14. **Details of Injuries:** Multiple wounds caused due to pointed and sharp glass pieces found on the back and left side of the body caused due to shards of glass hitting the patient with force. Pieces and small particles of glass found in the skin of the patient. Linear cuts are around 1cm to 3cm deep in the skin. Arms also have around 3- 4 glass wounds. Minor bruises present on legs due to patient falling on the ground from the force of the glass pieces.
15. **Whether admitted or not:** No. Discharged immediately after cleaning.

Sd/-

Shreeja Kumaresh

Medical Officer, Orange Hospital



ANNEXURE NO. 10

WITNESS STATEMENTS RECORDED u/s. 161 Cr.P.C

WITNESS STATEMENT OF SIRI PONNA

Ms Siri Ponna

DOB: 21.11.1988

#34, Mann Nagar, Howdy City

My name is Siri Ponna. I am a paramedic for Orange Hospital, Model Town and I had a night duty on 17.09.2015. We got a call regarding an emergency in front of Diplo Towers, Model Town. I was accompanied by another paramedic Thomas Koshy. We reached the place in 5 minutes. The hospital is very close by to the Diplo Towers.

When we reached there, we saw that the glass awning of Diplo Towers was completely shattered. There were two men lying down beneath it. One looked severely injured, so we took the medical decision of putting him in immediate care in the ambulance. We called another ambulance for the other person. I don't know what happened to the other guy.

The man, that we put him in ambulance, had a lot of injuries and incised wounds. He was in a very worse condition. Around 09.03 P.M. he held my hand, as if signifying for me to come close. His last words were "*Someone pushed me. Some known person pushed me from the building. I hope Outrider helps a lot of people like my wife.*" A few minutes later, he passed away at 09:05 P.M. We informed the Hospital authorities about it, after which I think they called the Police.

According to me, the man was fully conscious of his speech while stating them to me. I hope the culprit is traced and justice is served.



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WITNESS STATEMENT OF PRADYUMAN OBEROI

Mr Pradyuman Oberoi

DOB: 23/06/1970

#80/1, Chandrappa Layout, Howdy City

I have been working as maid in Diplo for the past 10 years and I attend to the pantry area in the main office along with Dolly. I serve snacks and do basic cleaning of the pantry area as well as help Dolly in serving tea and coffee to all employees in the morning and evening. Diplo keeps having these big parties often till late in the night, it's quite annoying to attend to.

As usual it was one of the parties on 17.09.2015 and Dolly and I were assisting the catering staff. Nangesh Chindi Saheb, always has us by his side, to attend to his special clients and taking care of their needs with respect to food and beverage. That evening there were three people Dolly was specially attending to. Two of them, one male and female, were for some reason quarrelling. All of the guests started looking towards them, trying to figure out what was going on. When I interrupted them by asking for some drinks, one of them just shushed me away saying they don't need anything. I felt it was quite rude. The lady just went downstairs in anger and frustration.

Soon enough I had to go the 6th floor that is just below the roof top. I did not see that lady anywhere downstairs. I came up after some time and Dolly told me the incident that had happened. I was shocked to learn that one of the clients she was attending to, had died! I mean in the half an hour I wasn't there so much had happened. It was one of those men who was quarrelling only, his dead body seemed miserable. Poor man should have been careful.



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WITNESS STATEMENT OF SHANAYA KAPOOR

Mrs Shanaya Kapoor

DOB: 09/03/1980

#20/1, Jyoti Nivas Nagar, Howdy City

I have been a regular client for Diplo for several years now. Nangesh Chindi has been more of a friend to me than just a person I do business with. I've attended so many of these parties and enjoyed all of them. The Rooftop party in the evening was a lovely one, this time there were various dignitaries and the party had hosted various VVIPs- big time politicians and cabinet members, it was surreal.

Through the evening I was enjoying myself, I talked a bit to Nangesh too, but this one man really caught my eye. I found him really attractive in this beautiful Tuxedo and a bow tie. I wanted to talk to him but I noticed that throughout the party he was with another person. Odd enough, they seemed to be quarrelling when I looked. I thought, maybe I should offer a drink and make a conversation and lighten his mood so I was talked to the waiter to make a good drink for us.

But my plan failed when the electricity went off, something that was so surprising because Diplo parties are just always well organized. There was so much of chaos and at one point during the power cut; we all heard a very distinct scream and loud thud.

The lights were on finally but, there was tension. Moreover, I was terribly disappointed because the bow tie man disappeared! He was just around me and he went missing suddenly. To my utter shock again, the friend of the Bow tie man was quarrelling with had died! What a disaster in the party, I hope Nangesh isn't in too much trouble because of this unfortunate mishap.



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WITNESS STATEMENT OF ANANTH HONDE

Mr. Ananth Honde

DOB: 30/8/1979

#3001/1, Srirampura, Howdy City

I am the security guard for Diplo Towers, Maharaja Road for the past 8 years. I usually have night duty from 8 P.M. to 8 A.M. I am posted at the entrance of the building.

On 17.09.2015 I was notified that a big party is going on the roof-top of the building. That day, there was some problem with our generator. Generally, it automatically turns on in three seconds, but it failed twice that day. Once it failed during my duty hours. I thought it didn't have enough petrol first. But later, I had to turn it on manually, for some reason automatic was disabled. When I was doing this, I heard glass crashing and a loud thud on the ground and heard some screams from the terrace. That's why I ran. There were two guys lying down in the glass rumble, severely injured.

I immediately called for ambulance. In 5-10 minutes, the ambulance came and the poor guy was carried away. It was very shocking for me. After the ambulance went away, I did not know what to do.



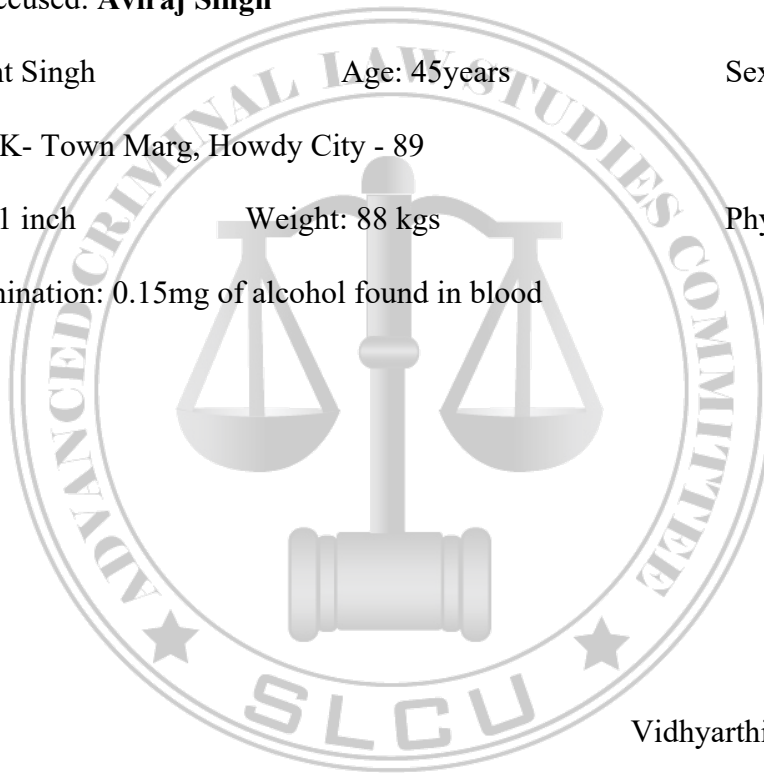
THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE NO. 9

BLOOD EXAMINATION REPORT OF ACCUSED No. 1

1. Medical Examination findings for the case: 986/2015
2. Date and hour of starting examination: 2nd October 2015, 7:00 P.M
3. Date and hour of concluding examination: 2nd October 2015, 7:15 P.M
4. Name of the accused: **Aviraj Singh**
5. S/O: Dukhwant Singh Age: 45 years Sex: Male
6. Address: #24, K- Town Marg, Howdy City - 89
7. Height: 6 feet 1 inch Weight: 88 kgs Physique: Muscular
8. Result of examination: 0.15mg of alcohol found in blood



Sd/-

Dr. Mareez Arora

Medical Officer

Vidhyarthi (Bhavan) Hospital

ANNEXURE No. 10

BLOOD EXAMINATION REPORT OF ACCUSED No. 2

1. Medical Examination findings for the case: 986/2015
2. Date and hour of starting examination: 2nd October 2015, 7:20 P.M
3. Date and hour of concluding examination: 2nd October 2015, 7:35 P.M
4. Name of the accused: **Nandana A.**
5. D/O: Mr. Arun Age: 27 years Sex: Female
6. Address: 2/22, Satya Sai Nagar, Howdy City- 56
7. Height: 167 cm Weight: 59 kgs Physique: Slender
8. Result of examination: 0.14mg of alcohol found in blood

Sd/-

Dr. Mareez Arora

Medical Officer

Vidhyarthi (Bhavan) Hospital



THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE NO. 11

IN THE COURT OF THE 4TH ADDITIONAL METROPOLITAN MAGISTRATE,
HOWDY CITY

C. C. No. 1997/2015

In the matter between:

State of Supra Pradesh

...*Prosecution*

v/s

Aviraj Singh and Others

...*Defence*

ORDER

(Deemed to be proved)

Whereas the information by virtue of a certificate submitted under Section 65-B of the Indian Evidence Act, 1872 has been laid down before me and a competent expert witness under Section 45-A of the Act has admitted to the genuineness of the produced records relating to a CCTV footage having I.O. Marking as 1D/986/2015. The evidence has been verified as genuine and has been admitted as a valid piece of evidence in the proceedings in the given case.

Seal: Deemed to be affixed

Signature of the Judge: **Sd/-**

Date: 25.10.2015

Akash Samrat



ANNEXURE NO. 12

POST MORTEM REPORT

NAME OF THE INSTITUTION: VIDHYARTHI (BHAVAN) HOSPITAL

NAME OF DOCTOR CONDUCTING AUTOPSY: DR. POPEYE CHAUDARY

POST MORTEM REPORT NO.: 960 /2015

DATE AND TIME OF RECEIPT OF BODY: A.M., 18.09.2015

DATE AND TIME OF COMMENCEMENT OF AUTOPSY: 8:00 A.M., 18.09.2015

DATE AND TIME OF CONCLUSION OF AUTOPSY: 10:00 A.M., 18.09.2015

ESTIMATED TIME OF DEATH: Around 10-12 hours before the commencement of Autopsy.

CASE PARTICULARS:

Name of Deceased: Byomkesh Saini

Age: 38 years

Sex: Male

Blood Group: A –ve

Address: No. 5/25, Mangaldas Colony, Mallesh Nagar, Howdy City

Body identified by: Jayasuriya Saini, father of the Deceased

OBSERVATIONS

Height: 6 ft. 1-inch

Weight: 78 kgs

Special Identification Features:

General Observations: Body is that of an adult male, wearing formal pants and shirt with minor tears. Shifted into hospital gown.

Rigor Mortis: Present. Body still relatively stiff.

External Examination:

1. Sand particles found in hair. Fine sand also found in nails and palms.



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2. Multiple injuries found caused due to blunt trauma to the abdomen and thorax. Skin is pale.
3. Blunt force injury on the left side of head.
4. Lacerations as well as incisive wounds found on the body. The same has been indicated to the small glass pieces have caused wounds of varying depth. Wounds ranging from 2 cm to 5 cm deep in the skin.
5. Glass particles found in incisive wounds, as a result of forceful impact with glass, which have caused cuts on intestine and liver region of 2 cm and 2.5 cm of depth respectively.
6. Multiple abrasions found on the arms and front body region.
7. Right hand wrist is severely fractured.

Internal Examination:

1. Damage to liver, abdomen and spleen.
2. Skull and brain injured due to a blunt force leading to intracranial bleeding.
3. Ribcage severely damaged. Bones in right part of rib cage shattered. Pelvic bone is also fractured. Right arm and shoulder fractured.
4. Broken bones throughout the body, especially in the chest region. Presence of cerebral contusions caused due to both incised as well as blunt force wounds leading to intracerebral hemorrhages.

OPINION

The death has occurred due to heavy blood loss, cerebral hemorrhage caused and subsequent multiple organ failure. Fatal injuries also caused due to impact with glass on the body. Deceased is said to have been bleeding profusely and mostly unconscious with intervals lasting a few seconds of slight consciousness just before death.

Sd/-

DR. POPEYE CHAUDARY
CHIEF MEDICAL OFFICER,
VIDHYARTHI (BHAVAN) HOSPITAL



THE 5TH NATIONAL TRIAL ADVOCACY
AND JUDGMENT WRITING COMPETITION



ANNEXURE NO. 13

SEIZURE MEMO OF DECEASED'S PERSONAL DIARY

1. **District:** Howdy City **P.S:** Model Town
2. **FIR No.:** 986/2015 **Date:** 15.10. 2015
3. **Acts and section(s):** (a) Act: IPC
(b) Section(s): 302
4. **Property seized/ recovered/ discovered at:** Office of the Byomkesh Saini, 5th Floor, Enntak (P) Ltd., Oxford Inc Towers, Ghumar Mandi, Howdy City
(a) **Date:** 15.10.2015
(b) **Time:** 10.00 A.M.- 11.00 A.M.
(c) **Address of the place from where seized/ recovered/ discovered:** 5th Floor, Enntak(P) Ltd., Oxford Inc Towers, Ghumar Mandi, Howdy City
5. **Witness:**
(i) **Name:** Purushotham H.
Age: 47 years
Residence:
(ii) **Name:** Madhevi Suresh
Age: 36 years
Residence:
6. **Action taken/ recommended for disposal of perishable property:** Nil
7. **Action taken/ recommended for keeping of valuable property:** Packed, sealed and sent to safe custody for further investigation.
8. **Identification required:** Yes
9. **Details of properties seized/ recovered:** A diary of 80 pages was found in the office of one Byomkesh Saini. It was found under sheets of paper in the drawer of his table. The Investigating Officer glanced through the diary with the gloved hands. Few pages from this



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diary were torn by the I.O. and sealed in front of us and marked as '4/986/2015'. It was informed to us that this would be sent for further investigation.

Except for the above-mentioned item, no other item/ property was seized by the police in our presence. The recovery was conducted in an orderly manner. The contents of the Property Seizure Memo were read over to us and are correctly recorded.

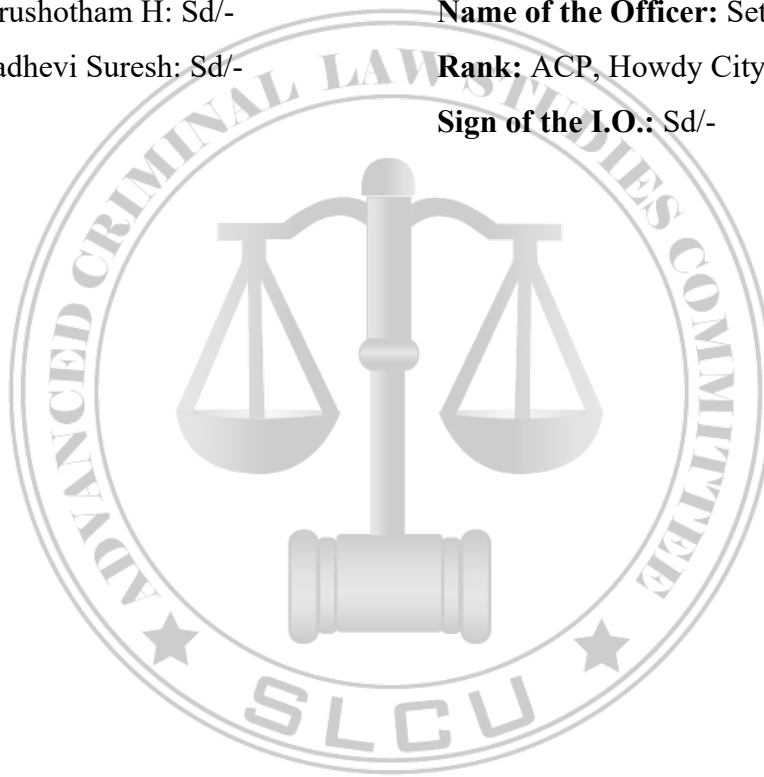
Witness 1: Purushotham H: Sd/-

Name of the Officer: Sethu Rama Iyer

Witness 2: Madhevi Suresh: Sd/-

Rank: ACP, Howdy City

Sign of the I.O.: Sd/-





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ANNEXURE NO. 14

FORENSIC SCIENCE LABORATORY REPORT

STATE FORENSIC LABORATORY REPORT

Government of Supra Pradesh

Regd – BAL (IB)/903/2015

Date: 31.10.2015

From,

The Director and Chief Examiner,
The Howdy City, State Forensic Laboratory,
Howdy City

To,

The Investigating Officer Mr. Sethu Ram Iyer IPS
Model Town P.S.
Howdy City

CERTIFICATE OF EXAMINATION:

The articles sent in were received by the State Forensic Laboratory, for examination on 18.09.2015. The articles were received sealed in a manner that corresponds to the materials as were informed to be received, all of which is summarized in the Forensic report.



THE 5TH NATIONAL TRIAL ADVOCACY
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Materials Examined –

MATERIALS EXAMINED	MARKINGS
Blood Stained piece of glass pane (I.O. Marking – 1A/986/2015)	B1
Drinking Glass (I.O. Marking – 2C/986/2015)	G1
Blood Sample of Mr. Nangesh Chindi	N1
Blood Sample of Mr. Byomkesh Saini	S1
Hair Strands recovered on B1	H1
Hair Strand Sample of Mr Byomkesh Saini	H2
Fingerprints recovered from G1	F1
Fingerprints of Mr. Nangesh Chindi	F2
Blood Sample of Mr Aviraj Singh	S1

Method of Analysis –

The observations and tests conducted were through method of collecting samples found at the scene of offence.

1. The samples of blood were collected through the way of cotton swabs which was submitted for further examination conducted by the way of Benzidine Test or the Presumptive Test. The blood Samples examined here are marked as B1, N1 and S1.
2. The blood stains and spatter on the recovered glass pieces were examined with respect to the blood type, the size as well as the colour as well as any form of other material mixed along with the blood stains found with respect to this investigation.



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3. Fingerprints were lifted by using the lifting tape and matched using the Automated Fingerprint machine.
4. Hair strands were also recovered along with the glass pieces.

Result of the Analysis –

The results of the Benzidine Test as well as the examination conducted on the aforementioned materials procured at the scene of offence or incident are furnished as below –

1. The Blood samples of N1 match with the blood sample collected and marked as B1
2. The fingerprints marked as F1 match with the fingerprints collected and marked as F2.
3. The Hair strand sample collected and marked as H1 match with the Hair Strands marked as H2

Sd/-

Mrs. Jayanti Rao
Assistant Director

Sd/-

Mr. Kesar Sharma
Chief Examiner

Sd/-

Mrs. Anjali Kalsi
The Director,
The State Forensic Laboratory
Howdy City



THE 5TH NATIONAL TRIAL ADVOCACY
AND JUDGMENT WRITING COMPETITION



ANNEXURE NO. 15

BANK ACCOUNT DETAILS- NANGESH CHINDI



BANK OF BLIPFART

ACCOUNT TRANSACTION STATEMENT

NAME: Nangesh Chindi Page: 1 of 1

ACCOUNT NO.: 12XXXXXXXXXX06

STATEMENT PERIOD: 01/08/2015 TO 31/08/2015

DATE	DESCRIPTION	TO	REF.	WITHDRAWAL	DEPOSITS	BALANCE (RS.)
01/08/2015	Previous balance		117 6		6,01,50,000	67,00,30,000
05/08/2015	Account to Account transfer	Aviraj Singh 73xxxxxxxxxx46	123 8	10,00,00,000		57,00,30,000
05/08/2015	Account to Account transfer	Shyla A. 65xxxxxxxxxx90	546 7	10,00,00,000		47,00,30,000
10/08/2015	The Laala Palace	78xxxxxxxxxx21	453 7	1,36,790		46,98,93,210
13/08/2015	The Mahal Hotel		652 8	11,210		46,98,82,000
15/08/2015	Withdrawal by ATM- APS Layout			22,000		46,98,60,000
18/08/2015	Spikey Suttagunde Pallya Outlet	83xxxxxxxxxx91	672 4	23,999		46,98,36,001
23/08/2015	Vinayaka Plumbers	73xxxxxxxxxx80	789 0	13,020		46,98,22,981
25/08/2015	Bharat Benz Outlet	75xxxxxxxxxx23	790 4	1,32,44,009		45,65,76,972
27/08/2015	Marzi Cafe	89xxxxxxxxxx12	812 4	34,998		45,65,41,984
29/08/2015	U Planet Showroom	13xxxxxxxxxx65	839 2	2,34,989		45,63,06,999
TOTAL				15,721,015	6,01,50,000	



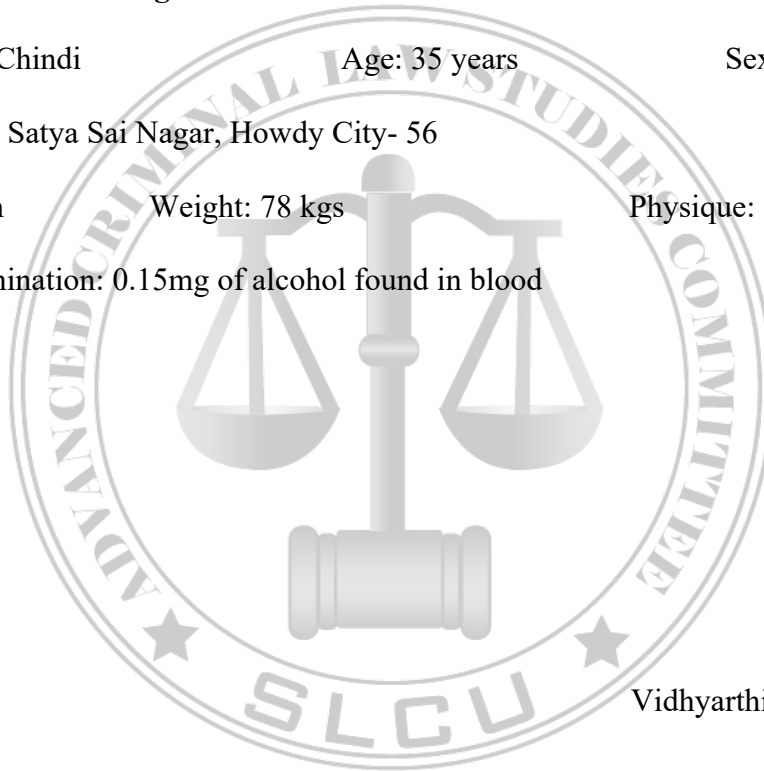
THE 5TH NATIONAL TRIAL ADVOCACY
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ANNEXURE NO. 16

BLOOD EXAMINATION REPORT OF ACCUSED No. 2

1. Medical Examination findings for the case: 986/2015
2. Date and hour of starting examination: 1st November 2015, 4:00 P.M
3. Date and hour of concluding examination: 1st November 2015, 4:15 P.M
4. Name of the accused: **Nangesh Chindi**
5. S/O: Pangesh Chindi Age: 35 years Sex: Male
6. Address: 2/22, Satya Sai Nagar, Howdy City- 56
7. Height: 187cm Weight: 78 kgs Physique: Slender
8. Result of examination: 0.15mg of alcohol found in blood



Sd/-

Dr. Betadin Singh

Medical Officer

Vidhyarthi (Bhavan) Hospital



ANNEXURE NO. 18

CONFESSION STATEMENT BY SUKUMAR JOSE

I am, Sukumar Jose, 32 years old. I have been working as the personal secretary to the Director of DIPLO, since last 10 years. Our director is a humble person and has the ability to face any difficulty in the business. In the past 2 years, there has been a decline in the growth rate of the company. Despite this, the director decided to continue the business. In order to boost the rate of growth of the company, the director signed the deal with the 'Enntak'.

I was present at the meeting which took place among the Director and the members of Enntak on 02.04.2015 at the conference room of Diplo Towers. They all started arguing after some time. Byomkesh Saini walked away from the meeting.

Subsequent to the meeting, the Director hosted a party on the roof-top. He wanted to announce the deal between Diplo and Enntak at the party itself. Loud music was being played and all the guests were enjoying the party. Byomkesh Saini has also arrived at the party. When I saw him, he was very serious and he did not speak to anyone. There was fight between Byomkesh Saini and Nandana Madam; they were shouting very loudly. The whole crowd turned around to look at what was happening. Nandana ma'am got very angry, and just ran downstairs with tears.

Later, the Director has told me that *"Byomkesh Saini will be the biggest obstacle to complete the deal signed with the ENNTAK, I need your help to cross this hurdle in the business"*.

I had consumed a lot of alcohol. Byomkesh Saini and I were standing next to each other, consuming alcohol. He was standing next to me. There was a power cut for 2 minutes. I was so high that I had no idea as to what happened. It was dark, some of the people switched on the flash lights. I heard someone screaming and crashed down. Later, I found that it was Byomkesh Saini. I do not remember what I was doing during the power cut. I think it was Aviraj Singh who pushed Byomkesh Saini from the roof-top under the instruction of Nandana Madam wherein this conspiracy was taking place I was also involved and present along with my Boss.



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ANNEXURE NO. 19

LETTER REGARDING THE DISCIPLINARY ACTION

STATE OF SUPRA PRADESH

DEPARTMENT OF POLICE

Director General of Police

Date: 05.10.2015

State of Supra Pradesh

Pincode-999888

To

Chaitra Vinay
CI
Model Town P.S.
Howdy City

Subject: Initiation of Disciplinary Proceedings

In furtherance of the irresponsible handling of evidence in the course of investigation conducted by you, the Director General of Police, Supra Pradesh is directed to institute the disciplinary proceedings to determine the actions through enquiry. Therefore, you are hereby removed from all the investigating duties and are asked to hand over those files to Mr. Sethu Ram Iyer, ACP, Howdy City, for further action. You are required to be present in the proceedings on 28.10.2015 at 10 A.M. in the office of the Director General. Failure to attend the proceedings shall lead to serious consequences.

Sd/-

Surya Prakash

DGP, State of Supra Pradesh



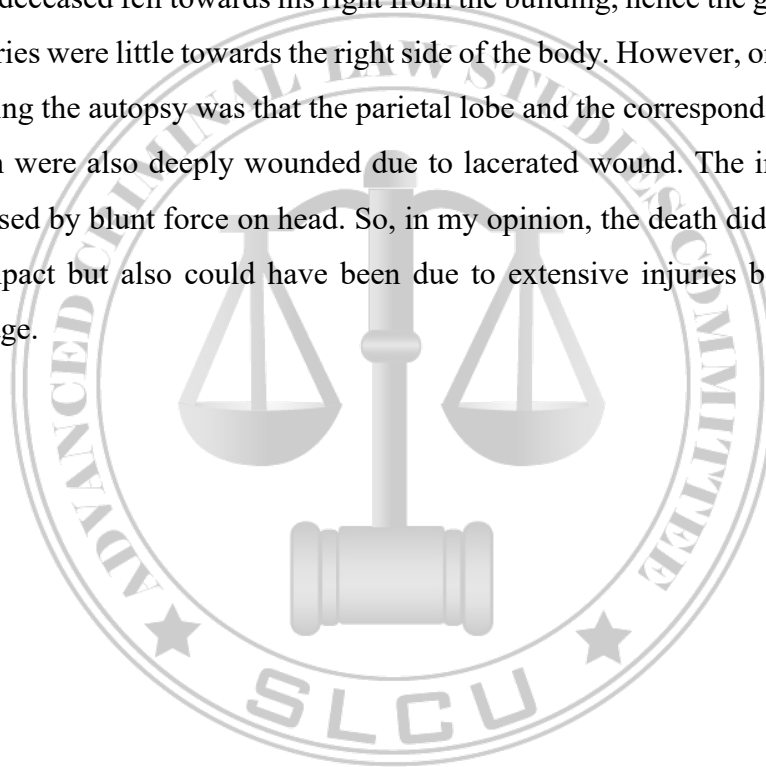
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WITNESS STATEMENT OF DR. OLIVE BOYLE

My name is Dr. Olive Boyle. I have been working in the Vidhyarthi (Bhavan) Hospital for around 1 year as a Junior Medical Officer. I assisted Dr. Popeye Chaudary in conducting the autopsy of one deceased, Mr. Byomkesh Saini.

It was clear that most of the injuries had been caused due to the impact on a slab of glass which must have been an extension of the building and then the impact on the ground. It was also evident; therefore, that the deceased fell towards his right from the building, hence the glass injuries as well as blunt force injuries were little towards the right side of the body. However, one surprising aspect that we found during the autopsy was that the parietal lobe and the corresponding part of the skull covering the brain were also deeply wounded due to lacerated wound. The injuries seemed like they had been caused by blunt force on head. So, in my opinion, the death did not occur only due to the fall and impact but also could have been due to extensive injuries being caused due to cerebral hemorrhage.





WITNESS STATEMENT OF C.I. CHAITRA VINAY

My name is Chaitra Vinay. I am 40 years and I was the Investigating Officer assigned to work on the unnatural death case of one Byomkesh Saini. I was allotted this case on 17th September 2015 itself. We immediately rushed to the scene of incident i.e. entrance of Diplo Towers, Maharja Road, Model Town. After reaching there, I sent one team to the Orange Hospital from where the ambulance had come from, according to the Security guard.

I conducted two Panchnamas on that date itself - one at the pavement right in front of the entry of Diplo Towers and secondly at the roof top of Diplo Towers. Simultaneously, property seizure memo was formed. I recorded the statements of the security guard- Ananth Honde, the waiter- Pradyuman Oberoi and one guest namely, Shanaya Kapoor u/s. 161 of Cr.P.C. I collected the video footage of the stairways leading to the roof-top too.

Based on the dying declaration recorded and the footage that I have received, Ms. Nandana A. and Aviraj Singh were arrested on 2nd October 2015 and they were presented before the Magistrate on 4th October 2015

I was suspended from the service on 5th October where after I could not continue with the investigation.



DEFENCE WITNESS STATEMENTS

WITNESS STATEMENT OF DR. SARACETAMOL SEN

My name is Dr. Saracetamol Sen. I have been working in Vidhyarthi (Bhavan) Hospital for around 4 years and I am presently the Chief Medical Officer, replacing, due to the unfortunate death of the previous Chief Medical Officer. I am aware of the details of the autopsy of the deceased in this case although, I was not part of the team of doctors who conducted the autopsy. I have gone through the entire Post Mortem Report and also heard about this case from Late Dr. Popeye Chaudary, the former Chief Medical Officer.

After having read the report of this case as well as the meeting where he told me about it, I can conclusively state that the death of the deceased as well as the injuries caused were due to the fall of the person from a height. The incisive and lacerated wounds at the front of the body as well as the top part of the head, near the parietal lobe as well as the damage on the parietal bone (skull) seem to have been caused due to the impact with a slab of thick glass during the fall. Oftentimes, while falling, the head moves forward due to which the top part of the head can also have injuries. The size of the wounds cannot be conclusive proof that the person could have also been impacted by a piece of glass. The mere impact on the slab of glass could have caused both big and deep wounds as well as smaller yet more incisive wounds.



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WITNESS STATEMENT OF MS. NANDANA A.

I am Nandana A., age 28 years. I have been the Financer of 'Enntak' company for 7 years. I am also known as the Finance manager. For the past few decades I have been financing a project called 'Outrider'.

Recently, our scientists introduced a new drug which cures the 'Ebola Virus'. Two of the scientists named Byomkesh Saini and Aviraj Singh have invented this drug. Byomkesh Saini said that, his wife died of Ebola Virus, which was not curable and has a serious effect on the body within few hours. Due to his wife's death which was caused by Ebola Virus, he wanted to sell the drug for cheaper rate in the market.

Aviraj Singh and I, wanted to sell the drug to one of the famous pharmaceutical companies known as 'DIPLO'. This company has offered a higher price to our drug than another company in the market. As a financer, I supported this decision because, it is important to procure funds for further investment in the scientific research and to improve the financial status of the company.

Later, a meeting was held on 17/09/2015 at 5 PM after the acceptance of the deal. Both the scientists, Director of Diplo and his secretary, including me were present for the meeting. While we were discussing about the agreement, Byomkesh Saini walked out from there angrily without stating any reason.

On 17.09.2015, Diplo hosted a big party on the roof-top of its building, Diplo Towers. We were invited to the party. Byomkesh Saini also arrived at the party even though he was not interested in selling the drug to Diplo. Later, he spoke to me about it. I found him very aggressive when he was talking. Later there was a power cut for 2 minutes. I was so high that I had no idea as to what happened. It was dark, some of the people switched on the flash lights. I heard someone screaming and crashed down. Later, I found that it was Byomkesh Saini. I was shocked knowing that, one of the best scientists in our company Byomkesh Saini had died.



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WITNESS STATEMENT OF ACCUSED NO. 1 AVIRAJ SINGH

I am Aviraj Singh. I live in #24, K- Town Marg, Howdy City - 89. I am 45 years old. I have been working at the Marappa Bendalooru under the Supra Pradesh Science Department for the last 20 years and have served to the best of my abilities under various positions. As a senior scientist, my work timings were from 9:00 A.M to 5:00 PM and I could come and go anytime if I had any work.

I am very strict in terms of discipline and conduct inside the lab. I know Byomkesh Saini well because he is my colleague and at the same time, few wanted to get rid of him. He was very stubborn and used to create ruckus at times but he was a good person.

I was the other shareholder of the company and as a shareholder, I thought it was best for the company and for us to sell the drugs to a big company so that we could make some profit but my ko share holder my colleague who is Byomkesh Saini was not happy with it as he wanted to sell the drugs for cheaper rates, but while having a meeting with the diplo company's Director. The financier and I wanted to sell the drugs to the company, but during that meeting Byomkesh ran angrily because he did not want this to happen. But anyways since the majority decision was that we wanted to sell the drugs to the company, we went ahead with the same. Soon after the meeting the director send the financier and me the money which we thought we will later send it to Byomkesh as at the moment when did the transaction Byomkesh was not present.

On 17.09.2015 there was a party that was hosted by the director of the company to celebrate our sale and are contract with them but main purpose of the party was to woo the finances and young companies like Enntak to sell the products. After which there was huge fight between financier and Byomkesh in the middle of the party and financier went down the stairs angrily after which day was power cut for 2 minutes.

After few seconds people present in the party switched on their flashlights and few minutes after that we heard a scream and a person crashing down. It was only later, I learnt that it was my own friend who fell down I was blank and was not able to think anything looking at what had just happened. He was fallen on the floor bleeding really bad. He was soon shifted to ambulance later



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when I got the news that he was no more. I just could not believe that my friend just left us and he was no more in the world.

The Police after Investigating asked for my mobile phone for checking. They explained me that I had conspired with someone to commit this crime and I was the one who did it. We all have been framed for no legitimate reason.

I vehemently do deny all the charges leveled against me.





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WITNESS STATEMENT OF ACCUSED NO.2 NANGESH CHINDI

I am Nangesh Chindi, age 50 years. I am the promoter of Diplo. I am the Head for the Finance, Marketing and Business Operations in my company.

Recently, Enntak Company has contacted us that it has introduced a new drug which cures the 'Ebola Virus'. We were informed that, two of their scientists namely, Byomkesh Saini and Aviraj Singh who had created this drug. I heard Byomkesh Saini saying that his wife died of Ebola Virus, which was not curable and has a serious effect on the body within few hours. Due to his wife's death which was caused by Ebola Virus, he wanted to sell the drug for cheaper rate in the market.

However, Ms. Nandana A. and Aviraj Singh, wanted to sell the drug to our company considering our reputation and the high price for their product being offered by us. The financier also stated that "I support this decision because, it is important to procure funds for further investment in the scientific research and to improve the financial status of the company."

Later, a meeting was held at a conference room in our building on 02.04.2015 after the acceptance of the deal. Both the scientists, my personal secretary, the financier, including me were present in the meeting. While we were discussing about the agreement, Byomkesh Saini walked out from there angrily without any reason.

We hosted a big party on 17.09.2015 at the roof-top of our building. We invited many eminent businessmen, and also companies like Enntak to the party. Byomkesh Saini also arrived at the party even though he was not interested in selling the drug to Diplo. Later there was a power cut for 2 minutes. It was dark, some of the people switched on the flash lights. I heard someone screaming and crashed down. Later, I found that it was Byomkesh Saini. I was shocked knowing that, Byomkesh Saini is dead.