



13TH NYAYAVALOKAN NATIONAL TRIAL ADVOCACY AND JUDGMENT WRITING COMPETITION, 2024-25



TRIAL PROPOSITION

SVKM's
PRAVIN GANDHI COLLEGE OF LAW



13th Nyaya Valokan National Trial Advocacy and Judgment Writing Competition, 2024-25

TRIAL ADVOCACY PROBLEM:

State of Maharashtra v. Rittesh Mahesh Valmiki

In the Court of Sessions at Mumbai

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1. Statements of Defence Witnesses (*provided simply as an aide memoire*)

EXHIBIT NO. 1:

FIRST INFORMATION REPORT

(under Section 173 BNSS)

1. District: Mumbai P.S: Borivali (W) Police Station Year: 2024
FIR No: 106 of 2024
Date of occurrence: 19th July 2024
2. Act: Bharatiya Nyaya Sanhita, 2023 Sections: 311,309(4),331(8)
3. Occurrence of Offence, Day: Friday, 19th July 2024 Time: 09:15 pm
4. Information recorded at PS: Date: 19th July, 2024 Time: 11:00 pm
General Diary Reference Entry No: 2641/2024
Information recorded by: Police Inspector J.T. Sawant
5. Type of information: Personal * Written / Oral: Oral
6. Place of Occurrence: Direction / Distance from PS: Svetambar Jain Temple, Tejani House,
Borivali, Mumbai 400092. 1.8 km west from Police Station
7. Informant Name: Pandit Purshottam Atmaram
Father's name: Pandit Atmaram Ativeer
Date of birth: 27.04.1980
Nationality: Indian
Occupation: Priest
8. Address: Room No. 18, Nehru Nagar Chawl, Borivali (E), Mumbai 400024
9. Basis on which FIR is lodged: Information provided by Pandit Purshottam Atmaram.
10. Details of Known / Unknown / Suspected accused with particulars: Unknown person.

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11. Reasons for delay in reporting by informant: - no delay, informed immediately.
12. Particulars of injuries sustained: As per Medical examination report.
13. Particulars of the post mortem report: NA
14. Inquest report / Unnatural death case no. if any:
FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost.
15. Signature/thumb impression of complainant/informant:

Signed Pandit Purshottam Atmaram

Signature of Officer-in-charge, Police Station:

Signed PI JT Sawant

Date and time of dispatch to the Court: 20th July 2024 at 11.30 am



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PW 1 – PANDIT PURSHOTTAM ATMARAM (INFORMANT)

Age: 44 years

Occupation: Priest

Address: Room No. 18, Nehru Nagar Chawl, Borivali (E), Mumbai 400024

STATEMENT: I am a priest at the Svetambar Jain Temple in Borivali. I have been working at the temple for the last 26 years since I was 18 years old. My father was the head priest when I started working at the temple. I live in Room No. 18, Nehru Nagar Chawl with my father, who has now retired, and my mother. We have been living in this room for the past two and a half years since my father retired from the temple.

Many years ago, in March 2012, when I was working as a pujari in the temple with my father, I had rescued an orphaned young boy, aged about 10 years old, who was begging on the streets near Borivali station. I had befriended him and used to give him biscuits and food whenever I had some spare money. One morning when I was going to the temple, I found him lying injured on the road. He said he had been attacked by some older boys at night. He was badly beaten up, bleeding, and crying. I rescued him and took him with me to the temple. He said his name Rittesh Valmiki and he had no parents and lived on the streets. I asked my father if we could look after him and let him stay in the temple, in the side room used by my father to rest during the day. He agreed to let him stay until he was recovered. Rittesh slowly recovered – we bought him medicines, and gave him food and shelter. Dr. Jain, a regular devotee at the temple was treating Rittesh for his facial injuries. Sadly, some of the cuts on his face healed well but left a small scar on his left cheek, under his eye. Despite everything, Rittesh slowly became better, and after about 3 months was fully recovered. While he was recovering, I had started to teach him in my free time so that he could go to school. In the evenings he used to help me clean the temple after the devotees had gone. He was very intelligent and asked a lot of questions about the Gods, history of the temple, and the religious ceremonies. He was always respectful, devout, and helpful.

My father became very fond of Rittesh and introduced him to one of the Trustees when she came for her regular darshan. He asked her to speak to the Board of Trustees of the temple to ask permission for Rittesh to live in the premises and help with all the cleaning and preparations for daily puja. He would not be paid, he would just help us and get shelter and food, so he did not have to return to the streets. The Trustees agreed, on the condition that my father and I were to take responsibility for this boy, to which we agreed, as we had become quite fond of him.

We sent Rittesh to school so that he could be educated and have better prospects. I continued to help him with his classes and studies, and he continued to work during the day in the temple. He was very useful to run errands, assist devotees who were old and generally always willing to help everyone. He was known as the cheerful smiling face of the temple.

In 2018, when Rittesh became 16 years old, he asked me to help him find his remaining family. He said he knew that his mother had family in Gorai and he wanted to reconnect with them. After many trips and a lot of searching, finally in January 2019, he was able to find his mother's sister, Anjali Kamble. She worked as a cleaner in an old age home in Gorai. After making this connection, Rittesh visited his aunt regularly on his days off, and always spent Diwali and Holi with his aunt and her family.

After my father retired in 2021 as the head priest of the temple, a new pujari was hired by the Trustees, as the head priest. His name was Pandit Ravikant Jha. I continued to work as a part-time pujari at the temple, since I was assisting my maternal uncle at his electrical shop, Jay Electricals, at 6, Ambemata lane, about 1 km. from the temple. Rittesh did not get on well with Pandit Ravikant. They were always getting into verbal battles because Rittesh had been brought up in the temple and felt he knew everything, while the new Pandit Ravikant wanted Rittesh to be obedient and follow instructions. He objected to Rittesh living on the temple grounds. There were always complaints against Rittesh, made by him to the Trustees, but I was aware of the politics and would make sure the Trustees were informed of the truth. Earlier this year, in March, the Trustees asked Pandit Ravikant to leave as they

had suspicion of him siphoning off donations from the donation box. Never in my mind did I have any suspicion on Rittesh. Even when the Trustees asked me, I had assured them that the temple funds were safe with Rittesh in residence, just as they had been safe for so many years in the past, under my father.

Just after the monsoon started this year, in early July, Rittesh seemed to be very disturbed. He would be on the phone during busy working hours, he would forget to prepare food and complain that there was too much work now and he was very tired. Then he started complaining about there not being a second pujari to help, that he needed to find a job and earn money, and he could not keep working such long hours at the temple without any remuneration. This was very unlike him, so I finally confronted him about his behaviour and skipping temple chores, he said he was very worried about his aunt because she had called him to say she was getting severe stomach pain and needed to see a doctor. He said he wanted to help her financially. He asked me if he could borrow money from me to take her to a good doctor in Borivali. I told him I did not have enough savings to be able to support his aunt's illness and that he should advise his aunt to ask her daughter to help out. He then asked if he could approach devotees whom we now knew well for financial help, but I refused. He was upset with me after that and did not speak to me very much, but continued to do his work and stay in the temple, as before.

Last week, again I had to reprimand Rittesh because he was rude to one regular old devotee, Mrs Panchal. He was leaving chores unattended and seemed very distracted. He apologized but continued to be sulky with me. I decided to just manage the situation myself without complaining to my father or the Trustees. The work was a lot more since the Trustees had not appointed a new head priest in place of Pandit Ravikant Jha and had requested me to spend more time in the temple until another full-time pujari was appointed by them, however Rittesh and I were managing.

The temple shuts at 9 pm everyday so by 8.30 p.m., Rittesh cleans the outside sitting area of the temple, while I attend to devotees who come after work and need help or want to speak to me. At 9 p.m., Rittesh shuts the temple gates.

Today, 19th July, Rittesh asked me if he could leave in the evening at 5 pm because he needed to run an errand. I agreed, and asked him to get back in time for closing at 9 p.m., so that I too could then head home by 9.30 p.m. He agreed. As usual, when I finished the last aarti at sunset, I sat and rested for some time in Rittesh's room and had some tea. It was very quiet after 8.00 pm and at about 8.45 pm when I checked, Rittesh had still not returned. I was a bit upset and tried his phone. There was no reply. It was switched off. So, I continued to do my work and wait for him. Finally, when he did not come by 9 p.m., I went myself and shut the temple gates, and I went inside to the inner sanctum to start washing the silver vessels and bathing the main idol Shree Mahavir Swami Bhagwan, as I always do. Suddenly I felt a presence behind me, and thinking that it was Rittesh who had returned I turned to scold him, when I was hit on my head and back very hard from behind. I felt like I was about to faint due to the acute pain. I fell to the ground bleeding and in my semi-conscious state I saw a big tall male figure wearing full black clothes, with a full black cloth face mask lunging towards me holding a long rope which he proceeded to tie around my neck. I tried to fight him off but he was above me, very strong and he just kept tightening the rope to strangle me. I was losing consciousness. The last thing I vaguely remember hearing is a phone ring, which sounded like the ring tone of Rittesh's phone, so I thought he had returned and will help me. I tried to call his name but my voice would not come out, and then I think I must have lost consciousness.

When I regained consciousness, I was in a lot of pain, lying on the floor, and I could not recall what had happened at first. Then I remembered the attack in which I nearly lost my life. I called out to Rittesh but there was no reply. I dragged myself to the bell and I kept ringing it till one of the watchmen came from Swastik Society next door. I told him what had happened and asked him to get my phone from the room so I could call Rittesh. Rittesh's phone was still switched off. The watchman then helped me call the police and tell them I

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had been attacked. As the watchman moved me to sit against the wall of the outer hall, I noticed that the long heavy gold chain adorning our beloved Saraswati Devi idol was gone. The chain was of thick gold, having a peacock design with a pendant inset with white and black stones. I realized then that there had been an attack on my life in order to commit robbery. I immediately checked the other idols of Padmavati Devi and Shree Mahavir Swami Bhagwan, and the silver bowls and donation box. Nothing else seemed to be disturbed or missing.

At about 9.45 p.m. Inspector Rupesh Ranade from Borivali Police Station came in response to my phone call and started making inquiries with me. He also spoke to the watchman of Swastik Society who stayed with me. He asked me if I needed medical attention, and then he asked his Constable Suresh to take me to the nearby Arogya Government Hospital. It must have been after 10 pm by then – the doctor examined me in Casualty, did a dressing for my head and neck injury, gave me some tablets for the pain and admitted me for further tests, since I was having a lot of pain in my head and neck region. However, around 11 p.m. Inspector Ranade came to the Hospital and recorded my statement on the basis of which the FIR was lodged.

My statement was read over by me, and I confirm it has been correctly recorded.

Sd/-

Sr. PI Ranade

Sd/-

Pandit Purshottam Atamaram

PW 2 – SHRI SUNIL POHARKAR

Age: 24 years

Occupation: Jubilee Garments Store Manager

Address: Ground floor, Bhandarkar Bhavan, near Borivali Police Station, Sundar Nagar,
Borivali (W), Mumbai 400092

STATEMENT: I am a garments salesman and store manager for Jubilee Garments, the shop next to Borivali Police Station. I have been working at this store for the past two years. I live in Room No 12/D Rehmat Manzil, Rehmat Nagar Road, Nalasopara (East) with my sister and mother. I have completed my B. Com and then took this job as I needed to earn some money after my father died.

On 20th July, shortly after I had reached the store at 10 a.m., and was setting up the display, a police constable who identified himself as Constable Suresh Mhatre from Borivali Police Station asked me to come to the Police Station, to which I agreed. I asked my colleague to stay in the shop until I returned.

When we reached the Police Station, I was made to sit at the desk of one Inspector Ranade. There was one other person present there, but I do not remember his name. Inspector Ranade introduced him as my co-pancha. He informed us that the night before there had been a robbery at Svetambar Jain Temple. He informed us that they had arrested one man who worked in the temple and asked us to witness what he said.

In my presence, Constable Suresh Mhatre brought a young man before us. He was looking scruffy, tired and dirty and was finding it difficult to walk properly. They told him to state his name. He said his name was Rittesh Valmiki, age 22 years and he lived and worked in the temple. The police in our presence asked him what he wanted to say. Whatever Valmiki said in our presence with regard to robbery of a thick gold chain, was recorded by Inspector Ranade in the panchnama. He said he was willing to produce the said chain if he was taken

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to the spot, where he had hidden it. The panchnama was read over by us and we signed it as pancha witnesses.

The police then asked us to accompany them to a house in Gorai from where he would produce the stolen chain. They asked us to get into the police jeep (Registration No MH-01-CT-1000). Valmiki was made to sit in the front in between the driver and Constable Suresh Mhatre. I sat at the back with one other panch witness and Inspector Rupesh Ranade. We left the Police Station at about 11.30 a.m. Valmiki then directed the police driver to the Manori-Gorai Road. We drove to Sahvas Old Age Home, Hooudpada Gorai, Manori-Gorai Road, Gorai Beach, Borivali (W) where Valmiki asked the driver to stop the vehicle. The time was about 1.15 p.m. He told us that this was where he sometimes stayed with his aunt who was an employee of the Old Age Home.

He directed us to the back of the Old Age Home, to a concrete three floor grey building marked 'A' block, which he said were the Staff Quarters. We climbed up to the 1st floor and then he turned left and walked down to the 5th door. The marking on the door was 21/A. There was a continuous gallery that looked out on the back of the Old Age Home. When we reached room 21/A he banged on the door but nobody opened the door. He then took a key from below a pot outside the door and opened the lock and we all followed him inside. The room was about 8 ft x 3 ft. He directed us to a dark brown steel cupboard in the far end of the room. Valmiki opened the cupboard and from the back of the top shelf he pulled out a rusted green Tata Tea metal box. He opened the box and pulled out a thick golden chain with peacock design. The box also contained one silver coloured ring and some glass bangles.

Rittesh Valmiki then handed the gold chain over to Inspector Ranade. Inspector Ranade then placed the gold chain in a plastic bag and put it in a green envelope. A panchnama of these events was recorded on the spot.

Thereafter at 2.40 p.m., we all sat in the police jeep and drove straight to Arogya Govt. Hospital, Borivali. We reached there at 3.45 p.m., and Inspector Ranade, after taking necessary permissions from the Medical Superintendent of the Hospital, took us to a Ward

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where there were about 10-12 beds. Upon Inspector Ranade asking for Pandit Purshottam Atmaram, the Nurse on Duty directed us to Bed No. 6 near the right window, where a man was resting on the bed, with an IV stand and tubes inserted in his arm. Upon seeing Inspector Ranade, the Pandit immediately asked if the robber who assaulted him was arrested and the necklace had been recovered. Inspector Ranade thereupon, took out the gold chain which we had recovered from the green envelope and asked Pandit Purshottam Atmaram whether he identifies the chain. Pandit Purshottam Atmaram stated that the gold chain was the same one that adorned Goddess Saraswatidevi's idol in the temple.

Thereafter, Inspector Ranade put the gold chain back in the green envelope, tied the parcel with thread and sealed the parcel. He labelled the package CR#106/2024 and put the police seal on the parcel. We both panchas, the Accused and I.O. Ranade signed on the package and thereafter the police took charge of the same. A panchnama of these events was recorded in the hospital, read over by us and on finding it correct, we signed on the same. The panchnama concluded at 4.35 p.m.

Then we sat in the vehicle in the same manner as we did earlier and the police driver drove us back to Borivali Police Station. I then left the Police Station after 5.10 p.m. and returned to the store.

Sd/-

Sr. P.I. Rupesh Ranade

PW 3 – SR. P.I. RUPESH RANADE: Borivali West Police Station, Opp. Borivali Railway Station, Borivali (W), Mumbai 400092

STATEMENT: I was on patrol duty on 19th July 2024, when I heard a distress call on the police wireless regarding a robbery at the Svetambar Jain Temple at Tejani House in Borivali. The time was about 9.40 pm on 19th July 2024. Since I was already on rounds, I decided to inspect myself. I called for constable Suresh Mhatre, constable N. Jayant and constable Meera to meet me at the temple, in case I needed assistance.

When I reached the Svetambar Jain Temple at about 10 p.m., the main gate was open. I went inside the temple complex. There was nobody in the area and all the lights were off. The front door to the temple was closed so I went around from the left side of the main door and I saw a small passageway going towards the back of the temple. Towards the back side a door was open. I entered the temple from this door and called out. A watchman came running towards me. He identified himself as Sandhu Singh from the neighbouring building, Swastik Society. He told me that the temple pujari had been attacked and the temple had been robbed. I asked him not to leave the premises and to guide me to the pujari.

I asked constable Suresh and constable Jayant who came there about 10 mins. after me, to examine the premises and see if anybody else was present and if the perpetrator of the crime was still on the premises. After doing a round they confirmed that there was nobody else in the temple premises other than the pujari and watchman. By this time a small crowd of bystanders had come to inquire what happened. They were kept outside the main gate. I asked the constables to secure the area of the temple, lock the gate and not allow people to come in or go out without my permission.

I then met the pujari, who identified himself as Pandit Purshottam Atmaram. He was half lying-half sitting outside the inner sanctum holding his head, against the wall. He seemed to be disoriented and in a lot of pain. There was a rope about 4ft. long, lying next to him. I asked him if he needed medical help. He appeared to be very agitated and said he first wanted to show me that the temple had been robbed. He told me he had been hit on the head

and back from behind with some heavy object and then he fell to the ground bleeding, while he was cleaning the main idol in the inner sanctum after the temple closed. He informed me that he did not get a chance to see his attacker as the person was masked. He said the attacker was very strong, taller than him and did not speak. He pointed to the rope lying on the ground and said that the attacker tried to strangle him with this jute rope, when he fell to the floor. He informed me that normally there is one Rittesh Valmiki who stays in the temple and helps him, but this Rittesh had asked to leave early that evening, at about 7 pm, for some urgent work and had still not returned when it was the time to close the temple. He said he kept calling out for Rittesh but there was no answer, and then he became unconscious. He said when he regained consciousness he was lying on the floor in pain. He tried to call out but there was no voice, so he dragged himself to the bell and then kept ringing it hoping somebody would come. He said after sometime the watchman from the neighbouring building, Swastik Society, came and found him and helped him sit up against the wall, which is when he noticed that the gold chain on the Goddess Saraswati idol was missing.

I instructed Constable Suresh Mhatre to take Panditji to the nearby Arogya Govt. Hospital for a medical examination and treatment for his injuries at about 10.10 pm on 19th July 2024.

I stayed at the temple. While examining the inner sanctum of the temple, I observed some red stains on the floor of the temple. I spoke with the watchman Sandhu Singh of Swastik Society and I asked Constable Meera to speak to residents in neighbouring buildings to see if they had seen or heard anything. Nobody had heard or seen anything unusual from within the temple premises. I observed there was no watchman for the temple premises. While speaking with Sandhu Singh watchman I was informed that this one Rittesh Valmiki who lived and worked in the temple had disappeared. He informed me that the pujari had been calling his phone before and after the attack and that the phone kept coming unreachable and switched off. I asked him if he knew where Rittesh Valmiki's family lived. He said that he was not aware if the boy had family because he had been adopted by the temple panditji many years ago, and lived in the temple. He informed me that Panditji would know and I

should ask him. I asked Constable Jayant to remain at the temple and keep it secure while I went to the Arogya Govt. Hospital to record the statement of Panditji and lodge the FIR.

I reached the hospital at about 10.50 pm on 19th July 2024 and met Panditji at Casualty. He had undergone medical examination already and a dressing was being put on his neck. I spoke with Dr. Shivani, the CMO, and she informed me that Panditji had been examined and treatment given, however, he would have to be admitted for further tests as he complained of severe pain in the head. His blood had been drawn, as routine procedure, and handed over the phial to Constable Suresh, who had accompanied Panditji for medical examination.

I thereafter lodged the FIR and recorded the statement of Pandit Purshottam Atmaram as the Complainant. I informed him that since Rittesh Valmiki was working at the temple I wanted to speak with him regarding the robbery. I needed to know where this Rittesh Valmiki lived. Panditji informed me that he lived in the temple, and the only other place Rittesh may have gone is to his aunt in Gorai village, because she had been very ill and he was concerned about her medical treatment. I asked Panditji to provide me with the address of the aunt so that I could send a police constable to the village to locate Rittesh Valmiki for questioning.

Upon completion of the FIR, I returned to the Svetambar Jain Temple to draw up the scene of offence panchnama. Upon reaching there I ordered Constable Jayant to summon 2 persons who were residents of Swastik Society, the neighbouring building, to act as panchas. In their presence a Scene of Offence Panchnama was drawn. We found some blood stains, swabs of which were collected for forensic examination and we also took charge of the jute rope.

After completion of the Scene of Offence Panchnama, I went back to the Police Station to complete some pending work, leaving Constable Jayant there to await the return of Rittesh Valmiki. Before I could leave for Sahvas Old Age Home, Hooudpada Gorai, Manori-Gorai road, Gorai Beach, Borivali (W) in search of Rittesh Mahesh Valmiki, I got a call from Constable Jayant at about 2 a.m. of 20th July, telling me that a young man had just entered

the temple premises and said that he lived there. He identified himself as Rittesh Valmiki. I asked Constable Jayant to bring Valmiki to the Police Station for questioning regarding the robbery. Constable Jayant brought Rittesh Valmiki to the Police Station around 2.30 a.m. Upon seeing him I noticed a few brown stains which appeared to be bloodstains on his shirt which I asked him to explain, when he became extremely nervous and agitated. Further, on interrogating him I found that he was giving contradictory answers. Based upon Panditji's statement and my interrogation, I placed Mr. Rittesh Mahesh Valmiki under arrest, for offences u/s 311, 312, 331(8) BNS, 2023. In the course of investigation, I also took charge of the bloodstained shirt the Accused was wearing, for forensic examination.

On 20th July 2024, in the course of investigation, Rittesh Valmiki, of his own accord, offered to take us to the place where he had hidden the stolen gold chain. I therefore asked Constable Suresh to get 2 panch witnesses for this purpose and the statement made by Rittesh Valmiki in the presence of panchas was recorded in a panchnama. Rittesh Valmiki then accompanied by myself, the two panchas and Constable Suresh went in the police van to the Old Age Home at Gorai. The accused Rittesh Valmiki led us to the room where he had hidden the gold chain. In the presence of the two panchas, Valmiki took out the gold chain from a steel cupboard belonging to his aunt, which chain matched the description given by Panditji in his complaint. The chain was collected in a plastic bag and put in a green envelope. A panchnama of these events was recorded on the spot.

Thereafter at 2.40 p.m., we all sat in the police jeep drove straight to Arogya Govt. Hospital, Borivali. We reached there at 3.45 p.m., and after taking necessary permissions from the Medical Superintendent of the Hospital, we got the gold chain identified by Pandit Purshottam Atmaram, who was admitted there, under a panchnama. Thereafter, I put the gold chain back in the green envelope, tied the parcel with thread and sealed the parcel. The blood of the Accused Rittesh Valmiki was also collected by Dr. Shivani, CMO and handed over to Constable Suresh. He sealed the phial in an envelope.

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We all then left the Hospital at around 4,45 p.m. and returned to the Borivali Police Station. I then asked the Accused Rittesh Mahesh Valmiki to take off his shirt which had dark brown stains on it. I folded the shirt in a brown paper, tied it with string, sealed it and labelled it CR#106/2024-III after putting my signature thereon and then put the police seal on the parcel.

All the articles that had been taken charge of by me, were sent to FSL, Mumbai for examination, in the course of investigation. I recorded the statements of other witnesses and subsequently I collected the medical examination report of Pandit Purshottam Atmaram and the Biological Examination Reports from FSL, Mumbai. On completion of investigation I filed the chargesheet against Mr. Rittesh Mahesh Valmiki u/s 311, 312 and 331(8) of BNS on 9th August 2024.



EXHIBIT NO. 2:

SCENE OF OFFENCE PANCHNAMA

NB. This document alongwith the articles seized under this Panchanama shall be taken as proved by the Prosecution and no articles seized herein will be given to the Participants for the purpose of showing any witness.

PANCHA NO. 1

Mr. Ajay Tolia, age 54 years

Occupation: Family Business

Residing at: Flat 61, Swastik Society Block A, Road No. 8, Daulat Nagar, Borivali, Mumbai 400066.

PANCHA NO. 2

Mr. Amit Mehta,

age 31 years

Occupation: Family business

Residing at: Flat 11, Swastik Society Block A, Road No. 8, Daulat Nagar, Borivali, Mumbai 400066

We the above-named panchas were called by Constable Jayant at about 12.30 a.m., on 19th July, 2024, to the neighbouring premises of the Svetambar Jain Temple, Tejani House, Borivali. He informed us that an attack on the Pujari and subsequent robbery had taken place at the temple and so he requested us to act as panchas for conducting the scene of offence panchnama. We agreed to act as panchas. When we reached there, Senior Police Inspector Rupesh Ranade and one lady constable Meera were also present.

The main gate to the temple premises was open. Just after the gates is a large compound where people can wait. Some plastic chairs were lined up against the walls. The temple has large heavy wooden doors which were closed at the time. Constable Jayant led us around

the temple through a side passage way to a backside entrance. When we came into the temple through the side door we were near the left side of the inner sanctum. Further along the side passageway, behind the inner sanctum was a small room of 50 sq. ft. with no windows, white washed walls and a wooden shutter door with a hook. The door was half open. There was a small kerosene stove, a small wooden cupboard with a lock on it and one small wooden shelf on which some metal thalis and cups were stacked. There was a chattai on the floor. In the corner there was a small basin with a plastic shelf and small mirror. The chattai had a rolled mattress folded in one corner. There were some hooks on the side wall on which some clothes were hanging. The room looked like somebody lived there. On one side of the room there was a small door with shutters leading into the inner sanctum of the temple, which was open.

We then returned to the main temple area. On either side of the closed main temple large wooden doors there is a colourful painted elephant. The main prayer hall was about 150 sq. ft. and led into the inner sanctum where the main God Shree Mahavir Swami Bhagwan's idol was mounted on a white marble pedestal. In front of this pedestal were 2 silver vessels, one filled with milk and the other filled with water. There was a plate next to it with a few red roses and a small bowl of sandal wood liquid. On the floor near the pedestal, there were some half dry red liquid stains that looked like blood. Constable Jayant took some cotton swabs (3 nos) and collected the half dry red liquid. He then put the cotton swabs in a brown paper envelope and sealed it and labelled it CR#106/2024-I. We signed on the envelope along with Senior Police Inspector Rupesh Ranade.

On either side of the inner sanctum, there are 2 Goddess idols one on each side wall. On the right side just outside the inner sanctum, there was the idol of Goddess Padmavati Devi draped in a red sari, with a heavy gold chain on her neck. On the left side of the inner sanctum there was the idol of Goddess Saraswati Devi in a yellow sari. There were no gold ornaments on this idol. There was a big wooden donation box in the prayer hall on the left side of the door to the inner sanctum. It had incense sticks in a holder, a silver mirror, a fan and a glass lantern with a diya.

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Constable Jayant also collected the piece of long jute rope lying outside the door of the inner sanctum in the prayer hall. Senior Police Inspector Rupesh Ranade told us that the said rope was used to strangle the pujari. He then put the long rope in a brown paper envelope and sealed it and labelled it CR#106/2024-II. We signed on the envelope along with Senior Police Inspector Rupesh Ranade.

Except for the above two articles nothing else was seized by the police in our presence.

The panchnama was conducted in a peaceful manner and it was completed at about 01.35 am, on 20th July, 2024. The panchnama was written by constable Meera. Both of us panchas have read the contents of the panchnama. The same is correctly recorded. Sr. P.I. Rupesh Ranade recorded the entire proceedings on his Lenovo Lava Agni 2 Mobile Phone No. 9819935456.

Signed PI Rupesh Ranade

Signed Panch No. 1

nyayaavalokan

Signed Panch No. 2

2024-25



EXHIBIT NO. 3:

MEDICAL EXAMINATION REPORT

EPR NO: 229

DATE: 19/07/2024

TIME: 10.15 PM

ACCOMPANIED BY: PC#35672 Borivali (W) PS

CMO on Duty: Dr Shivani

1. NAME: Pandit Purshottam Atmaram
2. S/O: Pandit Atmaram Ativeer
3. AGE: 44year
4. SEX: Male
5. ADDRESS: Room No. 18, Nehru Nagar Chawl, Borivali (E), Mumbai 400024
6. HEIGHT: 5 feet 5inches
7. WEIGHT: 68 kgs
8. SPECIAL IDENTIFICATION FEATURES: nil
9. H/O: back and head injury, lacerations on neck, respiratory distress
10. GENERAL PHYSICAL EXAMINATION (GPE):
 - Gait – N
 - Speech – N but rasping
 - CVS-S1S2 N; RS -AEBE
 - CNS – N, reactive to light
 - Pulse – 79 / minute
 - B.P. 130/95 mm Hg
11. C/O: giddiness, back and head injury, lacerations on neck, respiratory distress
12. EXTERNAL INJURIES – blunt force trauma injuries to right parietal lobe, showing presence of dried blood on the scalp; contusions right upper back; ligature markings on neck, possibly due to strangulation by jute rope
13. ADVISED: X-ray chest, CT scan of brain

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14. COLLECTED: One blood phial containing blood of Pandit Purshottam Atmaram, sealed, labelled and handed over to PC#35672
15. TREATMENT: Admitted for observation and further tests.

Signed: Dr. Shivani
Casualty Dept.
Arogya Govt. Hosp



RECOVERY PANCHNAMA

under S. 23(2) BSA

(TO BE PROVED BY PROSECUTION)

1. Shri Sunil Poharkar. Aged about 24 years, Occupation: Store Manager, Jubilee Garments, Borivali (W), Residential Address: Room No. 12 D, Rehmat Manzil, Rehmat Nagar Road, Nalasopara (E).
2. Shri Avinash Mahajan Aged about 31 years, Occupation: Service, Residential Address: Room 332 Flying Carpet, Sundar Nagar, Borivali (W), Mumbai 400092.

On 20th July, 2024 at around 10.30 a.m. Police Constable Suresh Mhatre of Borivali Police Station (Buckle No. 35672) called us to Borivali Police Station where we met Senior Police Inspector R. Ranade, who informed us that a robbery had taken place in the night of 19th July, 2024, at Svetambar Jain Temple Borivali and one thick gold necklace from the idol of Saraswatidevi was missing. He requested us to act as panchas, to which we agreed. He also informed us that they had arrested one Rittesh Mahesh Valmiki, who resided in the temple, for this offence. He told us that Rittesh Mahesh Valmiki wanted to make a statement, which we should hear carefully.

One Constable thereafter brought before us one young man, having black hair wheat complexion, tall and well-built, who upon asking, gave his name as Rittesh Mahesh Valmiki. He stated before us as follows:

“I, Rittesh Mahesh Valmiki, say that on 19th July 2024, I committed a robbery at the Svetambar Jain Temple as I was in need of money. I say that I took away a thick gold chain from Goddess Saraswatidevi’s idol at the temple. I say that I was wanting to sell the same so I hid the chain in my aunt’s house at Sahvas Old Age Home, Hooudpada Gorai, Manori-Gorai Road inside a tin box in a steel cupboard in the room. I am ready and willing to produce the chain if taken to the spot. Please come along with me.”

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The panchnama was recorded by Sr. P.I. Rupesh Ranade and concluded at 11.10 a.m. The same was read over and signed by us and found to be correct. Sr. P.I. Rupesh Ranade recorded the entire proceedings on his Lenovo Lava Agni 2 Mobile Phone No. 9819935456.

Sd: Pancha 1

Sd: Pancha 2

Sd: Investigating Officer Sr. P.I. Ranade

We, the panchas. along with the IO, the Accused Rittesh Valmiki and 2 other police staff left the Police Station at around 11.15 a.m., in police vehicle number MH-01-CT 1000. The Accused sat next to the police driver and the vehicle was driven as per his instructions. The vehicle reached Sahvas Old Age Home, Hooudpada Gorai, Manori Gorai Road, Gorai Beach, where the Accused asked us to stop. He directed us to the back of the Old Age Home to a three storied grey building marked 'A' Block, which he said were Staff Quarters. There were some central stairs leading up. We climbed up to the 1st floor and then turned left and walked down to the 5th door. The marking on the door was 21/A. There was a continuous gallery that looked out on the back of the Old Age Home. The house was locked. Upon asking, the Accused took a key out from the base of a pot of tulsi plant growing outside the door and handed it over to the I.O. who opened the door. We all entered the room of the accused. The room was approx. 8ft. x 3ft. There was one dark brown steel cupboard at one corner of the room, a single bed near the window and a long table on which there was a gas stove attached to a gas cylinder below, having some utensils, bottles of masala, and steel boxes of rice, grains and flour.

The Accused opened the steel cupboard and from the back of the top shelf he pulled out a rusted green Tata Tea metal box. He opened the box and took out a thick golden chain with peacock design, having pendant with peacock design and black and white stones. The box also contained one silver coloured ring and some glass bangles.

The Accused then handed the gold chain over to Inspector Ranade. Inspector Ranade then placed the gold chain in a plastic bag and put it in a green envelope. A panchnama of these

events was recorded on the spot. Thereafter at 2.40 p.m., we all sat in the police jeep drove straight to Arogya Govt. Hospital, Borivali. We reached there at 3.45 p.m., and Inspector Ranade, after taking necessary permissions from the Medical Superintendent of the Hospital, took us to a Ward where there were about 10-12 beds. Upon Inspector Ranade asking for Pandit Purshottam Atmaram, the Nurse on Duty directed us to Bed No. 6 near the right window, where a man was resting on the bed, with an IV stand and tubes inserted in his arm. Upon seeing Inspector Ranade, the Pandit immediately asked if the robber who assaulted him was arrested and the necklace had been recovered. Inspector Ranade thereupon, took out the gold chain which we had recovered from the green envelope and asked Pandit Purshottam Atmaram whether he identifies the chain. Pandit Purshottam Atmaram stated that the gold chain was the same one that adorned Goddess Saraswatidevi's idol in the temple.

Thereafter, Inspector Ranade put the gold chain back in the green envelope, tied the parcel with thread and sealed the parcel. He labelled the package CR#106/2024-IV and put the police seal on the parcel. We both panchas, the Accused and I.O. Ranade signed on the package and thereafter the police took charge of the same. A panchnama of these events was recorded in the hospital, read over by us and on finding it correct, we signed on the same. Sr. P.I. Rupesh Ranade recorded the entire proceedings on his Lenovo Lava Agni 2 Mobile Phone No. 9819935456. The panchnama concluded at 4.35 p.m.

Sd: Pancha 1

Sd: Pancha 2

Sd: Investigating Officer Sr. P.I. Ranade

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INVOICE FROM NATWARLAL BHIMDAS JEWELLERS

(To Be Proved by the Defence)



Natwarlal Bhimdas Jewellers

66/4/A Elco Plaza, Gorai Beach Road, Borivali (W),
Mumbai 400092 Tel: 63215246

Inv No: 225/2023

Date: 12/3/2023

To: Ms. Anjali

Address: Sahvas Old Age Home, Borivali (W)

Item Description:

One 22c gold chain with pendant

Rs. 82,000

(wt=5 tolas)

Total Amount Due: Rupees eighty two thousand only

EXHIBIT NO. 4

BIOLOGICAL EXAMINATION REPORT

FSL case No: B-99/24

Date: 23rd July, 2024

Total No. of pages: One

To: The Senior Police Inspector
Borivali Police Station
Mumbai

1. Ref No: 114/2024 Date: 26th July, 2024
2. No. of exhibits received: One P.S.: Borivali (W)
3. C.R. No: 106/2024 U/s: BNS 311, 309(4), 331(8)
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 23rd July, 2024
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed phial labelled blood of Pandit Purshottam Atmaram CR#106/2024
7. **Results of Analysis:** Exhibit CR#106/2024 is blood group O+.
8. Analysis started on: 24th July, 2024
9. Analysis completed on: 24th July, 2024
10. Analysed by: Sd./

(B.B. Bhulewager)
Assistant Chemical
Analyser in Government
Forensic Science
Laboratories, Mumbai.

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EXHIBIT NO. 5

BIOLOGICAL EXAMINATION REPORT

FSL case No: B-99/24

Date: 23rd July 2024

Total No. of pages: One

To: The Senior Police Inspector
Borivali Police Station
Mumbai

1. Ref No: 115/2024 Date: 26th July, 2024
2. No. of exhibits received: One P.S.: Borivali(W)
3. C.R. No: 106/2024 U/s: BNS 311, 309(4), 331(8)
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 23rd July,2024
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed phial labelled blood of Rittesh Mahesh Valmiki CR#106/2024
7. **Results of Analysis:** Exhibit CR#106/2024 is blood group B+.
8. Analysis started on: 24th July, 2024
9. Analysis completed on: 24th July 2024
10. Analysed by:

Sd./
(B.B. Bhulewager)
Assistant Chemical
Analyser in Government
Forensic Science
Laboratories, Mumbai.

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EXHIBIT NO. 6

BIOLOGICAL EXAMINATION REPORT

FSL case No: B-99/24

Date: 23rd July 2024

Total No. of pages: One

To: The Senior Police Inspector
Borivali Police Station
Mumbai

1. Ref No: 116/2024 Date: 26th July, 2024
2. No. of exhibits received: One P.S.: Borivali(W)
3. C.R. No: 106/2024 U/s: BNS 311, 309(4), 331(8)
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 23rd July,2024
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed parcel containing 3 nos cotton swabs stained red, labelled CR#106/2024-I
7. **Results of Analysis:** Exhibit CR#106/2024-I contains blood group O+.
8. Analysis started on: 24th July, 2024
9. Analysis completed on: 24th July 2024
10. Analysed by:

Sd./
(B.B. Bhulewager)
Assistant Chemical
Analysers in Government
Forensic Science
Laboratories, Mumbai.

EXHIBIT NO. 7

BIOLOGICAL EXAMINATION REPORT

FSL case No: B-99/24

Date: 23rd July 2024

Total No. of pages: One

To: The Senior Police Inspector
Borivali Police Station
Mumbai

1. Ref No: 117/2024 Date: 26th July, 2024
2. No. of exhibits received: One P.S.: Borivali(W)
3. C.R. No: 106/2024 U/s: BNS 311, 309(4), 331(8)
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 23rd July,2024
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed parcel containing stained shirt of Rittesh Mahesh Valmiki labelled CR#106/2024-III
7. **Results of Analysis:** Exhibit CR#106/2024-III contains human blood (old) of inconclusive blood group.
8. Analysis started on: 24th July, 2024
9. Analysis completed on: 24th July 2024
10. Analysed by: Sd./

(B.B. Bhulewager)
Assistant Chemical
Analysar in Government
Forensic Science
Laboratories, Mumbai.

APPENDIX 1:

STATEMENTS OF DEFENCE WITNESSES

DW1 - MRS. ANJALI KAMBLE.

Age: 55 years

Occupation: Caretaker

Address: Room 21/A, Sahvas Old Age Home, Hooudpada Gorai, Manori-Gorai Road, Gorai Beach, Borivali (W)

STATEMENT: I have been employed with the Sahvas Old Age Home since the past 16 years where I work as a caretaker. When I first started this job, I was just a cleaning lady and it was a part time job. When my husband died 10 years ago, I was thrown out of my home and needed a place to stay. My daughter was very young and so the Manager of Sahvas Old Age Home kept me full time and gave me a small room to live in. I have been working all my life. It has always been a struggle since my parents were both drunk and never gave my sister and me a stable home. My sister also became a drunk, lived on the streets for some time and then disappeared in 2010. I heard she was pregnant, but I lost touch with her, I chose not to live on the streets and so was forced into marriage, just so I could survive. I have only one daughter, by name Chhaya.

One aunty Neena who was 92 years old, lived in the Old Age Home and was finding it very difficult to manage her day-to-day affairs, used to like me and I looked after her devotedly during her lifetime. When she died her son gave me a gift of Rs. 5 Lakhs to show his gratitude. I used that money to pay for my daughter's beautician course. Last year, Chhaya got married to a nice Maharashtrian boy, by name Mahesh Laxmikant Pawar, who works as a purser in IndAir and whose family is settled in USA. A few years ago, my sister's son showed up at the Old Age Home. I don't know how he found me. His name is Rittesh. I was very happy to see him, and Chhaya and I became very fond of him. We welcomed him and he proved to be a loyal son to me. He told me about his difficult life on the streets and how Panditji found him and rescued him. He is very devoted to the temple and Panditji. I

offered him to come and live with me even though my room is small, but he said he would never leave Panditji. He would live at the temple but come regularly to visit us. He always said I was like his mother. He did not earn much money but whatever little he had, he would bring small gifts or food items for Chhaya and me. About 3 years ago he had told me that Panditji bought him a mobile phone. He would call me regularly to chat. I remember he had some trouble at the time because there was another new pujari who had been hired and he hated Rittesh. He was jealous of him and used to try and get him into trouble. One day Rittesh had told me that he had caught the pujari stealing from the donation box and he had informed Panditji. It became a very big issue and the pujari was fired, Rittesh became very agitated at that time and came to stay with us for some time.

About 4 months ago I was diagnosed with stomach cancer. Rittesh was very disturbed. He would call to check on me every day. In mid-June after my monthly check up I was informed by the doctor that if I did not get some particular radiation therapy, costing more than Rs. Two Lakhs, chances were that the cancer would continue to spread and within one year I would be dead. I did not have enough money for this treatment, so I spoke to my daughter Chhaya and Mahesh and asked them for help. Rittesh was very upset and crying, when he received the news of my cancer. He told me he would find a way to get the money, however, I knew that Rittesh would not be able to help me financially. Chhaya and Mahesh told me not to worry and that they would manage the costs for the radiation treatment.

On July 12th, 2024 I suddenly collapsed at work. I had to be shifted to Jansewa Cancer Hospital, Malad, to undergo treatment. Rittesh used to come to meet me whenever he was allowed to leave the temple.

I state that on 19th July, Rittesh came to meet me in the Hospital at about 6 p.m. and left in one hour stating that he was going with my daughter Chhaya for some work. Thereafter, he did not come to the Hospital at all. I called his mobile phone continuously from 20th July onwards, but the same was switched off. I asked my daughter Chhaya about the whereabouts of Rittesh, but she gave me evasive replies.

I was discharged from Jansewa Cancer Hospital, Malad, on 11th August 2024, after which I came to know from Chhaya that Rittesh had been arrested for robbing a gold chain from an idol in the temple and also for almost killing Panditji. I just could not believe that Rittesh would commit such a heinous crime and insisted that Chhaya tell me exactly what had occurred. Upon Chhaya informing me about her thick peacock gold chain being taken away by the police, on the pretext that the same was stolen by Rittesh from the temple, I insisted that she take me to Borivali Police Station. I wanted to inform the Police that since May 2024, when Mahesh and my daughter were trying various means to raise funds for my radiation treatment, Chayya had brought the thick peacock gold chain, which her in-laws had given her at the time of her marriage, and kept it in my room. I severely reprimanded her for this, as the chain was very heavy and costly and the same was gifted to Chayya by her in-laws. I was very scared of the same being stolen, as the cupboard in my room where Chayya had kept the chain did not have a proper lock. Chayya kept dismissing my fears by telling me not to worry as it was her property and responsibility. I had a feeling that she and Mahesh were planning to pawn the thick peacock gold chain to raise money for my radiation, though Chayya never confirmed this, despite my telling her not to do so, if she was at all thinking about it.

On my repeated insistence Mahesh took me to Borivali Police Station and I met Senior Inspector Ranade and informed him about the robbery from the temple donation box by the previous Pandit who had been sacked, and also told him that the thick peacock gold chain belonged to my daughter Chayya and in no way could the said chain be traced to the temple deity. I pleaded with him to release the chain to my daughter, but he told me not to interfere in this matter and in the ongoing investigation and asked me to leave the Police Station.

DW 2 - MRS. CHHAYA MAHESH PAWAR Age: 28 years

Occupation: Beautician

Address: Flat # 403 Lotus Building, Opp Orlem Church, Malad, Mumbai

STATEMENT: I am the only child of my mother Anjali Kamble. My father Prithviraj Kamble died many years ago of liver cirrhosis, after which my grandmother and uncle threw me and my mother out on the streets. Since my mother Anjali was not educated, she was working as a cleaning woman at that time in Sahvas Old Age Home in Gorai. Deepak Kaka who was the Manager of Sahvas Old Age Home took pity on us and gave us a small room in the Staff Quarters of the Old Age Home to stay in, and employed my mother full-time on a small salary of Rs. 12,000/ p.m. He enrolled me in a government-run school from where I completed my SSC and thereafter HSC education. My mother would work very hard to make ends meet and insisted that I study and make a future for myself.

A few years ago, my mother's sister's son Rittesh, who is an orphan, managed to trace me and my mother at our residence in Sahvas Old Age Home. We were both extremely happy with this blessing that came our way and included him as our family member. He has always been very caring and respectful of both my mother and myself. He keeps in touch with us regularly and we spend all festivals together.

Neena Aunty, who lived at the Sahvas Old Age Home, whom my mother looked after devotedly for many years, left behind a small gift of Rs. 5 Lakhs for my mother, which was given to us by Neena Aunty's son after her demise. I completed my graduation from Mahila Vikas College from that amount and also enrolled for a beautician's course in Gala Academy which offered very good placement service. I am presently working in Nalini's Beauty Salon & Spa at Bandra and drawing a salary of Rs. 20,000/- p.m. Through my friend-circle in college, I came in touch with Mahesh Laxmikant Pawar, who is employed as a purser in IndAir, and we decided to get married last year. The Pawars bore all the expense for my marriage including buying me clothes and jewellery for my marriage.

Since my mother and I are very close, and there is no one to look after her, or keep her company on good days, Mahesh and I bought a flat close to Sahvas Old Age Home. My husband is also very fond of Rittesh and feels compassionate towards him and includes him in all our functions as much as possible, but due to his responsibilities towards Pandit Atmaramji and the Svetambar Temple in which he lives since his childhood, he rarely spends too much time with us.

Around end of February 2024, my mother was diagnosed with stomach cancer for which the oncologist suggested about 4-5 cycles of radiation, each cycle costing nearly Rs. 50,000/ and other follow-up treatment. It was a huge expense for us and both Mahesh and I were approaching our friends and employers for loans and charities for help. Rittesh used to call me almost daily and ask me if arrangement for money was done so the treatment could start. He offered to borrow money from some wealthy devotees of his temple, but Mahesh and I told him we would manage.

Since we were not able to collect too much money through our contacts, Mahesh and I decided to pawn my thick gold peacock chain, which was given to me by my mother-in-law during my wedding. Ideally, we would have pawned the said gold chain with Natwarbhai of Natwarlal Bhimdas Jewellers from whom my mother-in-law had purchased the chain last year, but early this year due to his demise, the shop shut down. Since this chain was our major asset, Mahesh was very particular that we should go to a jeweller known to us, who would give us a fair price and also keep the chain safely for us to take back when we paid up the amount borrowed. Balasaheb Jadhav of Balkalyan Jewellers, is also well known to my in-laws for many years. So, I decided to go to Balasaheb Jadhav himself and seek his guidance. For this purpose, I had brought the thick gold chain to my mother's house at Sahvas Old Age Home and put it in her cupboard in a metal box I found there. My mother was very agitated and scared that it would be stolen and kept telling me and Mahesh to take it away to our house again, but I kept pacifying her that I would do so soon.

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Around 10th or 12th July, my mother's health took a turn for the worst and her oncologist told us that we would have to start her radiation treatment at the earliest. I had to arrange for funds urgently, and so after my mother stabilised at Jansewa Cancer Hospital, I contacted Balasaheb Jadhav and requested him to meet me, so that I could show him the Gold chain and raise some money for my mother's treatment. Since Mahesh was out of India on a long flight, and Balasaheb asked me to come to his shop on 19th July, 2024 around 8.30 p.m., I requested Rittesh to come with me to Balasaheb Jadhav's shop at Borivali (East). Accordingly, both Rittesh and I went to Balkalyan Jewellers around 8.15 p.m. After seeing the thick gold chain, weighing it and satisfying himself as to the quality of gold etc., he offered to loan me Rs. Seventy Thousand against it. I told him to give me a day or two to speak to Mahesh. He told me to revert only after 23rd July, since he was going out of town for 2-3 days.

Since it was late at night, Rittesh insisted on accompanying me to my mother's Room in Sahvas Old Age Home, where I safely put the necklace back in her cupboard. We both were very hungry, so we both went to a restaurant close by, had dinner and thereafter since it was very late and close to midnight, Rittesh dropped me home and thereafter proceeded to his room in Svetambar Jain Temple.

On 20th July, 2024, at about 4 a.m. I received a call from Rittesh. He informed me that he was calling from Borivali Police Station and that he was being falsely accused by the police for robbing a gold chain from the temple and assaulting Panditji, He was sounding extremely scared and agitated and asked me to come to the police Station and convince the police that he was not guilty of this crime. I told him that I would come as soon as it was daylight. At about 8 a.m. when I went to the Borivali Police Station, I was allowed to see Rittesh, who was in the police lockup and learnt that the police had forcibly made him state that the thick peacock gold chain which we had kept in my mother's cupboard the night before, was stolen from the temple by him.

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I immediately went up to the Police officer sitting there and told him that the chain that the police were claiming was stolen by Rittesh from the temple, was infact belonging to me, but they told me to go home and now the law would take its own course.



DW 3 - MR. BALASAHEB RAMESH JADHAV

Age: 62 years

Occupation: Jeweller

Address: 203 B Block, Gita Building, S.V. Road, Andheri(W) Mumbai

STATEMENT: I am the sole proprietor of a jewellery shop known as Balkalyan Jewellers situated at Malli Gully, Borivali (East), which shop is a family business started by my late grandfather in 1948. I know the Jadhav Family as I have made some jewelry for Mrs. Mrinalini Pawar at the time of her daughter's wedding in 2007. I know they reside in US now.

On 19th July, 2024, at about 3 p.m., I received a call from one Mrs. Chhaya Pawar, who identified herself as the daughter-in-law of Mrs. Mrinalini Pawar, informing me that she was in some financial difficulty and therefore wished to pawn a gold chain given by the Pawars during her wedding. Her husband had recommended that she get in touch with me, as their family had dealings with my shop in the past and I could be trusted. I asked her to come at about 8 p.m. on the same day, along with the chain.

At about 8.15 p.m., one lady who introduced herself as 'Chhaya Pawar' came to my Shop with a young boy, whom she introduced as her brother. From her handbag she took out one thick gold chain and stated that she wished to pawn the chain in order to fund her mother's cancer treatment. I inspected the gold chain, which weighed 5 tolas and told her that I would give her Rs. 60,000/- for the same. However, she wanted Rs. 1 Lakh for the same. After bargaining, we settled on Rs. 70,000/-. Mrs. Pawar told me that she would get back to me after speaking to her husband. I told her to contact me after 4 days as I was going to my village for urgent work. I did not see her after that day.

On being asked, I state that I do not remember the gold chain now and will not be able to identify the same if shown to me today.