

**18<sup>TH</sup> KSHAN NATIONAL TRIAL AND APPELLATE MOOT**  
**COURT COMPETITION, 2023**

**24<sup>TH</sup>, 25<sup>TH</sup> & 26<sup>TH</sup> MARCH, 2023**

**VENUE: G. H. RAISONI LAW COLLEGE, NAGPUR- 440014,  
MAHARASHTRA**

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**MOOT PROBLEM**

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**Disclaimer: All the facts, names, character, etc stated in this moot problem are purely fictional. Any resemblance with any real person/thing/place/incident is only coincidental and has no effect or relation to any actual event of the same kind.**

### STATEMENT OF FACTS

1. Nandkishor, 75 years old and Kavita, 72 years old are spouses having three sons, Raj, Ramesh and Rahul. All three of their children were married. Due to regular quarrels amongst the family members, Raj had separated from his parents and was living with his wife and children for the last 10 years. After separation, Raj started a small clothing retail outlet and worked day and night to establish his business. On the other hand, Ramesh was a customer support rep of a local enterprise and Rahul used to run the family business of retail in footwear, “Footstory”, along with his father in Roshan Nagar Market. Nandkishor, along with his wife and his two sons used to live in Geeta Nagar of Ravanpur. Raj used to live with his wife, Aaliya and children in Babita nagar of Ravanpur.
2. One fine day, Nandkishor visited Raj along with his other son, Rahul. He spoke to Raj at length regarding the losses faced by them in their footwear business. He requested him to help Rahul borrow some funds so that they could break even and refresh their stocks. Raj agreed to the same and borrowed some funds from some of his contacts in the market who handed out small loans with high interest rates, where he stood as borrower and his wife was the guarantor for the loans. From these funds, Nandkishor and Rahul started their business afresh with new stocks and renovations.
3. For the next following months, Raj paid monthly installments/required returns to the loan sharks in time. In the meanwhile, The footwear business owned by Nandkishor and Rahul was flourishing and booming with profits. This financial debt was turning into a burden for Raj and was causing him distress, so he stopped paying the creditors. Raj tried contacting his father and brother about them taking over the repayment of the loans, but got no response. The creditors were trying to recover their money from him and his wife.
4. On Saturday, Raj visited his brother, in his store, to ask him to repay the above loans. He refused Raj’s request while hurling abuses at him and kicked him out of the store.
5. On the next day, early in the morning, Raj went to a street shop where he purchased a bat and reached his father’s shop at about 9:30 AM. His father was sitting behind the cash and billing counter. Raj started a conversation about the repayment of loans and interest and his father said “*Paisa humne liya kya? Tune liya, tu dekh*”, which led to further verbal altercation between the two. Nandkishor got enraged by this conversation and behaviour of Raj and ended up slapping him across his face. This struck a nerve in Raj who then

swung the bat at his father and struck him twice on the head with great force which left him unconscious. He succumbed to his injuries and died on the spot.

6. Raj then went to the police station and confessed the crime to PSI Rajesh Tiwari. The inspector immediately registered an FIR and took the accused into their custody and seized the weapon at the police station itself. Upon filing the FIR, the senior inspector rushed to the spot and found the victim's body near the counter of the shop. Girish Girdhari ,who owned a shop right beside the place of incidence, was present when the police arrived. With the help of Girish and other Panchas, the spot panchnama was prepared.
7. The Investigating Officer also prepared seizure panchnama, sent the dead body for postmortem, seized the clothes, samples of spills of the victim's blood, recorded statements of witnesses and sent seized articles to the Laboratory for chemical analysis. He also collected the postmortem report of the deceased and a query report from the doctor in respect of injuries to the deceased and the seized articles.
8. The investigation was completed and the chargesheet was filed in the Court of Chief Judicial Magistrate, Ravanpur.

**EXHIBIT 1**  
**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C.)

District: Ravanpur; Police Station: Roshan Nagar ; Year: 2023

FIR No.:76 ; Date & Time of FIR: 08/01/2023 at 10:30 AM

SR. NO.	ACT	SECTION
1.	INDIAN PENAL CODE, 1860	302

**OCCURRENCE OF OFFENCE:**

Day: Sunday

Date from: 08/01/2023

Date To: 08/01/2023

**TIME PERIOD:**

Time from: 09:00 Time To:10:00

**INFORMATION RECEIVED AT P.S. :** Date 08/01/2023; Time 10:30

**GENERAL DIARY REFERENCE:**

Entry No.:008 Time: 11:15

Type of Information: Oral

Place of Occurrence: Roshan Nagar Market

Direction & Distance from P.S.- ; Beat No.: - 1234

**IN CASE, OUTSIDE THE LIMIT OF THIS POLICE STATION, THEN**

Name of P.S.: District (State):

**COMPLAINANT/INFORMANT:**

Name: PSI RAJESH TIWARI

Father's Name: SURESH TIWARI



G. H. RAISONI  
LAW COLLEGE

Date/Year of Birth: 20/12/1997

Nationality: Indian (e) UID No.: 234567890

Passport No.: 345678901

Date of Issue: -

Place of Issue: -



RAISONI GROUP  
— a vision beyond —

ID DETAILS (RATION CARD, VOTER ID CARD, PASSPORT, UID NO., DRIVING LICENSE, PAN)

S.NO.	ID TYPE	ID NUMBER

ADDRESS:

SR. NO.	ADDRESS TYPE	ADDRESS
1.	RESIDENTIAL	BTDD HOUSING SOCIETY, ROSHAN NAGAR, RAVANPUR

Occupation: PSI

Phone number: Mobile: 1010101010

DETAILS OF KNOWN/SUSPECTED/UNKNOWN ACCUSED WITH FULL PARTICULARS:

SR. NO.	NAME	ALIAS	RELATIVE'S NAME	PRESENT ADDRESS
1.	RAJ CHHANCHAD		AALIYA CHHANCHAD	32/C, BABITA NAGAR, RAVANPUR



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

S. No. UIDB Number:

FIRST INFORMATION CONTENTS:

BRIEF FACTS:

The accused came to the police station with a bat in his hand and surrendered himself to the PSI. he confessed to killing his father with the same bat and informed the place of incidence. He recalled the chronology of the events that led to the murder of his father.

ACTION TAKEN:

Accused surrendered himself. He has been taken into custody and Investigation has commenced.

Directed (Name of I.O.): RAJESH TIWARI

Rank: PSI (Sub- Inspector); No.: MH 01010101 to take up the Investigation

REFUSED INVESTIGATION DUE TO -

Transferred to P.S. District On point of jurisdiction

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

Signature/Thumb impression of the complainant/ informant

Sd/-

Date and time of dispatch to the court:

09/01/2023

Signature of Officer in charge, Police Station

Sd/-

**EXHIBIT 2**  
**SURRENDER MEMO**

**FORM – IF3 - (Integrated Form)**

**ARREST / COURT SURRENDER MEMO**  
(Separate Memo for each accused)

1. \*Dist Ravanpur \*P.S. Roshan Nagar \*Year 2023 \*FIR No. / Proceeding No. 76 \*Date 08.01.2023  
\* Alphanumeric code of the Accused A1 (Write A1 to A9 for the first 9 persons, B1 for 10<sup>th</sup> persona and so on)
2. Date & Time of Arrest / Surrender: \*Date 08.01.23 Time 10:45 AM G.D. No. 008
3. Name of the Court (if surrendered): .....
4. \*Acts and Sections: Sec. 302, Indian Penal Code 1860
5. \*Arrested and sent up / Arrested and released on bail / Surrendered in court and bailed out / Surrendered in court and sent to judicial custody / Surrendered in court and remanded to Police custody (tick \* applicable portion).
6. Particulars of the Accused:
  - (i). \*Name: RAJ CHHANCHAD
  - (ii). \*Father's / Husband's Name NANDKISHOR CHHANCHAD
  - (iii). \*First Alias: .....
  - (iv). \*Second Aliases: .....
  - (v). \*Other Aliases: .....
  - (vi). \*Nationality: Indian (vii) (a) \*Passport No. ....
  - (b). \*Date of Issue: ..... (c). \*Place of Issue .....
  - (viii). \*Religion Hindu (ix). \*Caste / Tribe: .....
  - (x). \*SC/ST NO (xi) \*Occupation: Sole proprietorship
  - (xii). \*Permanent address: 97, Bahita Nagar, Ravanpur  
Distt. Ravanpur P.S. Roshan Nagar
  - (xiii). \*Present Address: same as above  
Distt. .... P.S. ....
7. Injuries, cause of injuries and physical condition of the accused person (Indicate if medically examined):  
Blackish blue bruise on left cheek



8. The accused, after being informed of the grounds of arrest and his legal rights, was duly taken into custody on 08.01.2023 (date) at 10:45 AM (hours) at Raman Nagar P.S. (place). The following article(s) was / were found on physical search, conducted on the person of the accused, and were taken into possession for which a receipt was given to the accused, \*\*

1 Bat 2 shirt & trousers  
3 wallet 4  
5 mobile phone 6

Necessary wearing apparels were left on the accused for the sake of human dignity and body protection.

The accused was cautioned to keep himself / herself covered for purpose of identification.

Intimation given to Saliya (Relationship) Wife of accused

\*\* If no article found, 'Nil' may be indicated in the blank space provided below:

9. Physical features, deformities and other details of the accused:

*Sex	*Date / Year of Birth	*Build	*Height in Cms.	*Complexion	*Identification Marks
1	2	3	4	5	6
Male	01.01.1978				

(For Modus Operandi offences only)

*Deformities / peculiarities	*Teech	*Hair	*Eye	*Habit(s)	*Dress habits
7	8	9	10	11	12

*Languages / Dialect	PLACE OF				*Tattoo
	*Burn Mark	*Leucoderma	*Mole	*Scar	
13	14	15	16	17	18

\*Other features (19) .....

10. Whether finger-print taken or not?: Yes

11. Socio-economic profile of the accused showing:

(a). \*Living Status: Living alone or with Family / Relation / Associate in Pucca House / Hotel / Hostel / Kachcha House / Thatched House / Slum or is homeless.

(b). \*Educational qualification(s): BBA

(c). \*Occupation: Sole Proprietor

(d). \*Income Group:

- (i). Lower Income (Below Rs. 500/P.M.)
- (ii). Lower middle Income (From Rs. 501 to Rs. 1000)
- (iii). Middle Income (From Rs. 1001 to Rs. 2000)
- (iv). Upper Middle Income (From Rs. 2001 to 3000)
- (v). Upper Income (above Rs. 3000)

12. Whether the accused person, as per the observations and known Police records:

- |  |                 |
|--|-----------------|
| * (a) Is dangerous   | Yes/No <u>✓</u> |
| * (b) Previously escaped any bail                            | Yes/No <u>✓</u> |
| * (c) Is generally armed                                     | Yes/No <u>✓</u> |
| (d) Operates with accomplices                                | Yes/No <u>✓</u> |
| (e) Has past criminal records                                | Yes/No <u>✓</u> |
| (f) Is recidivist  | Yes/No <u>✓</u> |
| * (g) Is likely to escape bail                               | Yes/No <u>✓</u> |
| * (h) If released on bail, is likely to commit another crime | Yes/No <u>✓</u> |
| Immediately or threaten the victims / witnesses.             | Yes/No <u>✓</u> |
| * (i). Is wanted in any other case                           | Yes/No <u>✓</u> |

Tiwari

Signature of the Investigating officer with:

Name: Rajesh Tiwari  
Rank: PSI  
Number, if any: MM 01010101  
Date: 08-01-2023

Place Ravanpur

### EXHIBIT 3

#### SEIZURE PANCHNAMA

FORM – IF4 - (Integrated Form)

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#### PROPERTY SEIZURE MEMO

(search / production / recovery u/s .....)

1. \*Dist. Ravanpur \*P.S. Roshan Nagar \*Year 2023 \*FIR No. / GD No. 76/008 \*Date 08-01-2023
2. Acts and sections Indian Penal Code, Sec. 302
3. \* Name of property seized / received : Stolen/Unclaimed/Unlawful possession / Others:  
Sports Bat and clothes
4. Property seized / received; (a) Date: 08-01-2023 (b) Time 11:20 AM  
(c) Address of place from where seized / recovered: Police Station, Roshan Nagar, Ravanpur  
(d) Description of the place of seizure / recovery: accused surrendered the property at the police station
5. Person from whom seized / recovered:  
Name: Raj Chhanchad Father's/Husband's Name Nandkishor Chhanchad  
Age: 45 Occupation: Sole proprietor Address: 32/C, Balika Nagar, Ravanpur
6. Witnesses:  
(i) Name: Meghraj Pabani Father's/Husband's Name Devendras Pabani  
Age: 54 Occupation: Bank Clerk Address: 34/B, Roshan Nagar, Ravanpur  
(ii) Name: Raj Chawla Father's/Husband's Name Bhagchand Chawla  
Age: 34 Occupation: IT professional Address: 37/AB, Roshan Nagar, Ravanpur
7. Action taken/recommended for disposal of perishable property: .....
8. Action taken / recommended for keeping of valuable property: Property sealed and sent to chemical analysis for analysis
9. Identification required: Yes / No Yes
10. Details of properties seized / recovered: Use prescribed form(s) and attach.

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1. Circumstances / grounds for seizure: Accused surrendered the weapon to the police & confessed to the crime & his clothes were seized
12. The above mentioned properties were seized in accordance with the provisions of law in the presence of the above said witnesses / \*\* and a copy of the seizure memo was given to the person / the occupant of the place from whom seized.
13. The following properties were packed and / or sealed and the signature of the about said witnesses obtained thereon or on the body of the property.

Sl. No.	Property	Signature obtained on the packet or on the body of the property
1	2	3
1.	Bat [Sports]	
2.	Clothes	

Specimen of the seal is given below

Witness -1

Pabari  
Signature

Witness-2

R Chandra  
Signature

Tiwari

Signature of the Investigating Officer

Name: RAJESH TIWARI

Rank: PSI No. MOIC0101

Place: Ravanpur Date: 08-01-2023

\*\* In case the property is seized from such a place that no receipt is required to be given to anybody, this portion of the sentence should be struck off.



### **EXHIBIT 4**

#### **SPOT PANCHNAMA [U/s. 174, CRPC]**

We, aforementioned, Panchas were called and told by PSI Rajesh Tiwari, Roshan Nagar that, today on 08.01.2023, at about 10:30 AM, while he was on duty, the accused came to the police station and surrendered to the PSI. The accused came in with a sports bat and told the PSI that he had killed his father. On receiving such information, it was noted down in General Diary, Reference No. 008, Time : 10:45 AM. After the entry was prepared in the General Diary, the accused was arrested and a surrender memo was made in his name. After the accused was taken into custody, the weapon of the crime was seized from the person of the accused along with his clothes. Thereafter, the FIR was registered. The accused revealed that there was a verbal altercation between him and his father regarding money matters after which his father assaulted him, which is when the accused hit the victim with his bat, which caused the death of the victim. The PSI went to the spot of the crime, as disclosed by the accused and found the victim lying on the ground, in a pool of his own blood. The body of the deceased was sent to the Medical Examiner for Post Mortem. Samples of the blood spills were collected from different areas of the scene of crime and sent to the Chemical Analyzer for analysis. On request made by the Investigating Officer, Panchas were present on spot while all evidence was collected and the Panchnama was made. The Panchnama is as follows:

Present Place of incidence was disclosed by the accused himself after he surrendered to the police and confessed to the crime committed by him. The place was the deceased's own store named "Footstory", shop no. 12, Roshan Nagar Market, Ravanpur. There was a large pool of blood behind the cash counter where the body was found and, on the chair, where the deceased was seated at the time of incidence. There were spills and splatter of the victim's blood near the display of the shop as well. Samples were collected by the IO and sent for analysis.

The samples taken were as follows:

1. Blood from pool on the floor behind the cash counter
2. Blood from the chair behind the cash counter
3. Blood from the splatter on the display of the store

The above-mentioned things are sealed and covered on it the paper labels of the panchas and the police are being pasted. The photographs of the said place of incident are taken by Government photographer, Police Constable Balli, B.No. 250. This Spot Panchnama is written in the handwriting of P.S.I. Shri Tiwari. This Spot Panchnama has been done and written down correctly as seen and as seems from the situation.

This Spot Panchnama started today at [insert time] hours and was completed at [insert time] hours.  
In the presence of

Pancha 1) Signature (A.B.C.)

Pancha 2) Signature (X.Y.Z.)

P.S.I. P.S. Roshan Nagar, Ravanpur

## **EXHIBIT 5**

### **STATEMENT OF PROSECUTION WITNESSES**

#### **PROSECUTION WITNESS 1 (PW 1) : - MR. RAHUL CHHANCHAD, SON OF DECEASED**

My name is Rahul Chhanchad and I am about 47 years old. The accused in the present crime is my younger brother and the deceased was our father. My brother always thought he was better at everything than us and never gave up a chance to make us feel inferior with all his achievements. As we grew older, he became more and more successful in his work and became the financial backbone of our family.

Our family fell apart when he married Aaliya against our father's wishes and separated from us. We fell into the vicious cycle of debt and could not even provide our members with basic necessities, while he built a family of his own and flourished in life. There came a time a few months ago where we were in so much debt that we couldn't borrow any more money from the market. This was when my father insisted on contacting Raj, to ask for help.

My father spoke to him about our rough financial situation but he took it lightly and showed little to no sympathy towards his own flesh and blood. My father insisted upon him to help us multiple times after which, he finally agreed by taking out loans in his name.

We used these funds to provide the bare minimum necessities for the survival of our family and to reboot our business. A Few months later, Raj came to my store, out of the blue and started hurling abuses at me for not being able to repay the installments myself. I told him to come back when our father was here so that we could all discuss it.

The next day, as it was a Sunday, I woke up late and found out that my father had already left to open our store. At about 11 AM, I received a call from Roshan Nagar Police Station stating that my father was dead. The Investigating Officer approached me and was enquiring about the incident and the reason why it took place. I told him all I knew and when I was asked for CCTV Camera footage, I informed them that we did not have that provision in our store but I was sure that there were people in the market when it happened. I directed them towards the few regular people I saw, one of whom was a Rickshaw Puller named Ganya, who used to help us with bringing our packages

from the courier office and always parked his rickshaw right opposite my shop, when we were closing for the day.

**PROSECUTION WITNESS 2 (PW 2): - GANYA, RICKSHAW PULLER (translated from local dialect to English)**

I, Ganya, am a rickshaw puller. I am about 65 years old and have been pulling this rickshaw all my life. It is my bread and butter. My main area for customers is through Roshan Nagar market. There is a country liquor shop named “Rim Jhim” close to the market where me and my buddies would drink alcohol every night after the day’s hustle. I always park my rickshaw opposite Channchad's shop.

On the night before the incident, just like every other night, I had parked my vehicle in front of the shop and had gone to the country liquor shop. I came back to my rickshaw and slept in it. Next morning, I woke up when I heard men arguing and screaming and I saw a man swinging his bat at Mr. Chhanchad. I thought I was dreaming, so I went back to sleep.

After a while I heard commotion and woke up again to the sound of police sirens. The area was swarming with people and I couldn’t make heads or tails of the situation. Someone asked me for a fare and I went away that time. A few days later, the police came to me at that same spot and began questioning me about the events. I told them all I knew and then, they took me to the Police Station to record my statement.



## EXHIBIT 6

### STATEMENT OF DEFENCE WITNESSES

#### **DEFENCE WITNESS 1(DW 1): - MR. RAJ CHHANCHAD, ACCUSED**

I am Raj Nandkishor Chhanchad and I am about 45 Years old. I am happily married to my wife, Aaliya and live with her and our children. I am the owner of a local clothing retail store called “Style My Own.” I have established this business alone and have taken all efforts possible to make it profitable.

One day, a few months ago, my father and brother contacted me asking for help with their business. My father informed me that they were stuck in a very bad financial crisis where it was difficult to put food on the table. They were in a debt to many and were unable to secure any kind of loan/borrowings from the market. He asked me to help in this time of need, by borrowing the funds in my name, as no one would lend them the money they so badly required. So, out of pure love and concern for my family, who cast me out when I married my wife, I arranged for some of my known creditors to lend me the funds required, on my own liability and made my wife the guarantor for the same.

My father and brother renovated their footwear outlet, Footstory, with the help of these funds and replenished their stocks. Gradually, their business started doing well and started reaping profits.

After repaying a few installments accompanied by interest up until now, I reached my maximum financial limit, with the burden of the expenses and future planning for my family, and tried contacting my father and brother to ask them to take over the repayment of the loans. For a while, I got no response from them.

On Saturday, I visited my brother at his store to ask him in person to repay me the installments I had covered and to the creditors, the remaining sums. Upon hearing this, my brother insulted me, kicked me out of his store and threatened me by saying that if I ever asked for my money again, he would cause physical hurt to me and my family. I was completely disheartened to see my

brother's attitude and behaviour towards me after all I had done to help them, in good faith, during their time of need and how ungrateful he was towards all my actions.

On Sunday morning, I went to Roshan Nagar Market to buy a bat for my son's school Sports Event. The street vendor was near Footstory, so I began to think that maybe I could talk to my father and make him reason and bring my brother to reason with me. But, to my displeasure, he too behaved like my brother and started using foul language and said "*Paisa humne liya kya? Tune liya, tu dekh*". He started insulting my wife and blaming her, once again, for breaking up our family and that now I was pretending to care about them suddenly. He told me that his other sons were better than me and that I was responsible for all the bad things and financial distress that the family had to face.

His words towards me and my family were turning rotten and I could not help myself from defending them. He suddenly, in a fit of rage, slapped me which provoked me even more. I could not take the insults and the swearing anymore as it all enraged me and ached my heart. His hurtful and hateful speech and actions led me to take the irrational decision of striking him with the bat in my hand. It was neither my wish nor intention to kill him. As soon as my anger subsided and I realised what I had just done, I was filled with remorse and regret over my actions which led me to go straight to the Police Station and surrender myself for my sinful act.

**DEFENCE WITNESS 2(DW2): - MRS. AALIYA CHHANCHAD, WIFE OF ACCUSED**

My name is Aaliya Chhanchad and I am the wife of the accused, Raj. On the night before the alleged incident, my husband came home in a very agitated mood. He started shouting from the moment he stepped through the door. I had never seen him this angry throughout our marriage. He had been very distressed because of his father and brother. Ever since we got married, my father-in-law and brothers-in-law were against us and broke relations with my husband.

A few months ago, my father-in-law came to my husband to ask for financial help for his business. My husband, being a good-natured man, arranged for funds to give to him. He took out loans in his name and made me the guarantor, just to help his family. He had been paying the installments to the creditors along with interest, without regard to our own financial situation.

The business run by my in-laws goes by the name of Footstory and is situated in Roshan Nagar Market. They used the money given by Raj to renovate and replenish their stocks. This led to them reaching their break-even point and they eventually started earning profits. This was when my husband finally had had enough and decided to ask his father to take over the repayment of the loans.

On Saturday, when my husband came back home furious and I asked him what was the matter, he told me that he had gone to visit his brother, Rahul to talk about the loans and Rahul, being an ungrateful brother, kicked him out of the shop and refused to repay the loans.

The next day, Raj went out to buy some sports equipment for our son and next I knew I was on call with the police when they informed me that my husband had been arrested for killing his father.

**EXHIBIT 7**  
**CHEMICAL ANALYZER REPORT**

To,

Police Inspector

Police Station- Roshan Nagar District: Ravanpur

Your letter No.        01        Dated: 11/01/2023

Regarding: Seven parcels in connection with C.R. No. 76/2023 of P.S Under Section 302 of IPC stated by you have been dispatched on per P.C. No. was duly received in this office on 08/01/2023.

**DESCRIPTION OF PARCEL**

Seven sealed parcels, seal intact and as per copy sent.

**DESCRIPTION OF ARTICLES IN PARCEL/S**

1. Cricket Bat labelled A1
2. Full Shirt labelled B1
3. Full Trousers labelled B2
4. Blood Sample from pool on the floor behind the cash counter labelled C1
5. Blood Sample from the chair behind the cash counter labelled C2
6. Blood Sample from the splatter on the display of the store labelled C3
7. Blood Sample of Victim labelled C4

**RESULT OF ANALYSIS**

1. Exhibit B1 and B2 have no traces of blood. Exhibit B2 has dirt on it.
2. Result of Examination of Exhibit A1 has been given separately.
3. Exhibit C1, C2 and C3 were a successful match with the victim's sample of blood, i.e., Exhibit C4.

## EXHIBIT 8

### EXAMINATION OF WEAPON

This is certified for examination of the object brought by P.C. Navin Bisen B.N. 1228  
P.S. Roshan Nagar Dist. Ravanpur on date 11/01/2023 at 1:20 PM examined by Dr.  
Rajat Merkap. M.O., G.H. Nagpur.

1. Name of the weapon: Cricket Bat
2. Type of weapon: Wooden.
3. Part of weapon                      length                      breadth                      thickness  
Blade                                      96 cm                      8 cm                      3 cm  
Handle                                      20 cm

Red Coloured Stains and droplets on the blade of the bat and on handle, none visible

1. Injuries possible: Blood Clots, Contusion, Fracture, Bone Cracks, Haemorrhage, etc
2. Identification Mark: None
3. Type of injury possible: Maybe simple or grievous injury

Answer of query: 1. Injuries mentioned on deceased may be possible with  
above mentioned weapon

2. Yes, death may be possible.

Examination of weapon and answer of query.

Given on dated: 08/01/23 at 2:00pm. Advice from chemical analysis for stain on bat. Weapon  
sealed and handed to P.C. Navin Bisen B.N. 1228 P.S. Roshan Nagar

Dr. Daniel Williams

G.H., Ravanpur Regional

Forensic Science Laboratory,

Geeta Nagar, Ravanpur

440012

**EXHIBIT 9**  
**POST MORTEM REPORT**

Post Mortem Report No. 0047

Date: 11.01.2023

Conducted by Dr. Amruta Oke

Date and time of receipt of body and inquest papers of autopsy:

Date: 09.01.2023

Time of receipt of body: 10:30 AM

Time of completion of Autopsy: 10.01.2021; 7:00 PM

Date & time of examination of the dead body at Inquest (as per Inquest Report)

---

In alleged encounter deaths, it may be done in a scientific manner along with still photography

---

**CASE PARTICULARS**

1. A. Name of deceased and as entered in the Jail or Police record: Nandkishor Chhanchad

B. S/O, DIO, W/O: Ramaji Chhanchad

C. Address 36/D Geeta Nagar, Ravanpur

2. Age (Approx): 75 years,

Sex: Male

3. Body brought by (Name and rank of Police officials)

I. Anand Choubey, Head Constable

II. Manish Patil, Constable.

Of Police Station: Roshan Nagar

4. Identified by (Names & addresses of relatives/persons acquainted)

1. Ramesh Chhanchad [son of the deceased]

5. If Death occurred in Hospital (particulars as per hospital records)

I. Date & Time of Admission in Hospital

II. Date & time of Death in Hospital

III. Central Registration No. of Hospital

6. Alleged History (in brief, as per Inquest papers) \_\_\_\_\_

7. SCHEDULE OF OBSERVATIONS

**A. GENERAL**

1. Length: 165 cms.

2. Weight: 85 Kgs.

3. Physique: obese, average built

4. Identification features (if body is unidentified)

I. \_\_\_\_\_

II. \_\_\_\_\_

III. Fingerprints to be taken on separate sheets and attached by the doctor.

5. Description of clothes worn-important features: Kurta Pajama worn by the deceased, of off-white colour

6. Post-mortem Changes:

PM Staining lividity: No

Rigor mortis (if present, the extent): present all over the body

Decomposition changes (if any): No

7. External Appearance:

I. Condition of eyes: partially open; cornea hazy, pupils dilated

II. Natural orifices:

III. Nails:

## **B. EXTERNAL INJURIES:**

(Mention type, Shape, length x Breadth and Depth of each injury and its relation to important body landmark, indicate which injuries are fresh and which are old and their duration)

### *1. Injury 1:*

Type: Blunt Force Trauma to the head and massive laceration

The injury is 9 cm long, 6 cm wide and 0.5 cm deep. The injury appears to be fresh and about 24 Hours old.

### *2. Injury 2:*

Type: Blunt Force Trauma at the base of the skull and a massive laceration.

The injury is about 12 cm long, 8 cm wide and 0.5 cm deep. The injury appears to be from the same timeline as Injury 1. This is the injury which seems to have proven fatal for the deceased.

1. Injuries to be given serial number and mark similarly on the diagrams attached.
2. In stab injuries, mention angles, margins and direction inside the body.
3. In firearm injuries, mention the effects of fire also.

## **C. INTERNAL EXAMINATION**


### **1. HEAD**

- a. Scalp findings: Wound due to Blunt Force Trauma
- b. Skull (Describe fractures here & show them on body diagram enclosed): Intracranial hematoma; depressed comminuted fracture present.
- c. Meninges, meningeal spaces & Cerebral vessels (Haemorrhage & its locations): Haemorrhage near tentorium cerebelli.
- d. Brain findings & Wt. : (Wt. 03 gms)




## 2. NECK

- a. Mouth, Tongue & Pharynx
- b. Larynx & Vocal cords
- c. Condition of neck tissues
- d. Thyroid & other cartilage conditions

 normal


## 3. CHEST

- a. Ribs and Chest wall
  - b. Oesophagus
  - c. Trachea & Bronchial Tree
  - d. Diaphragm
  - e. Pleural Cavities R\_\_ L \_\_
  - f. Lungs findings & Wt.
- Rt. 400 gm. & Lt. 350 gm.
- g. Pericardial Sac
  - h. Heart findings & Wt. : 450 gms.
  - i. Large blood vessels

 normal

## 4. ABDOMEN

- a. Condition of abdominal wall
- b. Peritoneum & Peritoneal cavity
- c. Stomach (wall condition, contents & smell) (Weight 7000 gms.) Stomach is intact, contains 100 ml semi-digested food, no peculiar smell; mucosa- pale
- d. Small intestines including appendix
- e. Large intestines & Mesenteric vessels
- f. Liver including Gallbladder (Weight 250 gms.); bladder filled with Bile

 normal

- g. Spleen (Weight 140 gms.)
- h. Pancreas
- i. Kidney's findings & Wt.  
Rt. 130 gm & Lt. 120 gm.
- j. Bladder & urethra
- k. Pelvic cavity
- l. Pelvic Bones
- m. Genital organs (Note the condition of vagina, scrotum, presence of foreign body, presence of foetus, semen or any other fluid, and contusion, abrasion in and around genital organs)- normal

Normal

## 5. SPINAL COLUMN & SPINAL CORD (To be opened where indicated)

## 6. Additional Remarks, if any

### OPINION

1. Probably time since death (keep all factors including observation at inquest): 37-39 hours
2. Cause of death-The cause of death to the best of my knowledge and belief is

(a) Immediate cause: intracranial hematoma

(b) Due to: Fatal blows on the head with hard and blunt object

(c) Which of the injuries are ante-mortem/post-mortem and duration if ante- mortem?

All injuries are ante-mortem, duration: right before death of the deceased.

(d) Manner of causation of injuries: Blunt force trauma

(e) Whether injuries (individually or collectively) are sufficient to cause death in the ordinary course of nature or not?

Yes.

3. Any other

**SPECIMENS COLLECTED & HANDED OVER (Please tick)**

(a) Viscera (Stomach with contents, small intestine with contents, sample of liver- 500 gms, kidney (one half of each), spleen, Blood (upto 100 ml.), sample of blood on gauze piece (air dried), any other viscera, preservative used)

(b) Clothes ✓

(c) Photographs (Video cassettes in case of custody deaths, finger prints etc.)

(d) Foreign objects (like bullet, ligature etc.)

(e) Specimen collected for Histopathological examination (mention name of organs/tissues)

(f) Sample of seal

(g) Inquest papers (mention total number & initial them)

(h) Slides from vagina, semen or other material, if any

PM report in original, \_\_ inquest papers, dead body, clothings and other articles (mentioned there) duly sealed (Nos. 1) handed over to police official Rajesh Tiwari, No.MH01010101 of PS Roshan Nagar, whose signatures are herewith.

Signature: 

Name of Medical Officer: AMRUTA OKE

(In block letters)

Designation: Forensic Pathologist

SEAL

**Receiving by I.O.**

Signature: 

Name: Rajesh Tiwari

Rank: PSI

Belt No: MH01010101

Police Station: Roshan Nagar, Ravanpur

Date of Collection: 13.01.2023

## EXHIBIT- 10

### CHARGESHEET/ FINAL REPORT [U/s. 173, CRPC]

#### FORM IF5

#### FINAL FORM / REPORT (Under Section 173 CR. P.C.)

IN THE COURT OF SESSIONS JUDGE

1. \*Dist: Ravanpur \*P.S. Roshan Nagar \*Year 2023 \*FIR No: 76 \*Date: 08.01.2023
2. Final Report/Charge-Sheet No: 54 3. \*Date: 20.03.2023
4. (i) \*Act: Indian Penal Code \*Section: 302  
(ii) \*Act: 1860 \*Section:   
(iii) \*Act:  \*Section:   
(iv) \*Other Acts and Sections:
5. \*Type of final Report: Charge-Sheet/Untraced/Unoccurred/Not Charge-Sheet for want of evidence : Charge-sheet
6. \*If F.R. unoccurred: False / Mistake of fact / Mistake of law/Non-cognizable/Civil nature:
7. \*If supplementary or original: original
8. Name of the I.O. Rajesh Tiwari Rank PSI  
(a) Name of Complainant / Informant: Suo Moto Cognizance  
(b) Father's / Husband's Name: Suresh Tiwari
10. Date of properties / Articles / Documents recovered / seized during investigation and relied upon (separate list can be attached, if necessary).

Sl. No	Property description	Estimated value (in Rs.)	P.S. property Register No.	From whom/where recovered or seized	Disposal
1	2	3	4	5	6
1.	Bak			From the person of accused	
2.	shirt & trousers			From the person of the accused	

11. Particulars of accused persons charge-sheeted:  
(use separate sheet for each accused)

Sl.No. ....

(i). \*Name: Raj. Annachad Whether verified: Yes

(ii). Father's/Husband's Name: Nandkishor Annachad

(iii). Date/Year of Birth: 01.01.1978

(iv). Sex: Male (v) Nationality: Indian

(vi). Passport No: ..... Date of issue: .....  
Place of Issue: .....

(vii). Religion: Hindu (viii) Whether SC/ST: NO

(ix). Occupation: Sole Proprietor

(x). Address: 32/c Babita Nagar, Ravanpur  
.....  
Whether verified: Yes

(xi). \*Provisional Criminal No.: .....

(xii). \*Regular Criminal no: .....  
(if known)

(xiii). Date of arrest: 08.01.2023

(xiv). \*Date of release on bail: Not released

(xv). \*Date on which forwarded to Court: .....

(xvi). \*Under Acts & Sections: .....

(xvii). \*Name(s) and Address(es) of sureties: .....

(xviii). Previous convictions with case references: .....

(xix). \*Status of the accused:  
Forwarded / Bailed by Police / Under Police Custody / Bailed by Court / In judicial  
Custody / Absconding / proclaimed Offender: ✓



12. Particulars of accused persons – Not charge sheeted (suspected):  
(separate sheet for each suspect)

Sl. No. ....

- (i). \*Name: ..... Whether verified.....
- (ii). Father's/Husband's Name: .....
- (iii). Date/Year of Birth : ..... (v) Nationality: .....
- (iv). Sex: ..... Date of Issue .....
- (vi). Passport No. .... Place of Issue .....
- (vii). Religion: ..... whether SC/ST: .....
- (ix). Occupation: .....
- (x). Address: .....
- ..... Whether verified .....
- (xi). \*Provisional Criminal No: ..... Yes/No
- (xii). \*Suspicion approved: .....
- (xiii). \*Status of the accused  
Bailed by Police / Bailed by Court / in judicial custody / Absconding / proclaimed offender  
/ Not arrested: .....
- .....
- (xiv). Under Acts and Sections: .....
- .....
- (xv). Any special remarks including reasons for not charge sheeting: .....
- .....
- .....
- .....
- .....

13. Particulars of witnesses to be examined:

Sl. No.	Name	Father's/Husband's Name	Date/year of birth	Occupation	Address	Type of evidence to be tendered.
1	2	3	4	5	6	7
1.	Rahul Chhanchad	Nandkisher Chhanchad	07.12.76			Oral
2.	Ganya Patil					Oral

14. If F.R. is false, indicate action taken or proposed to be taken u/s 182/211 I.P.C.:

.....

15. Result of Laboratory Analysis:

As given in the report of chemical analysis



16. Brief facts of the case (Add separate sheet, if necessary)

The accused on the date of FIR came to the police station and surrendered himself for killing his father and also surrendered the weapon of murder. The accused informed us of the place of incidence after which the FIR was registered according to the details given by the accused. We rushed to the spot of the crime and found the accused's father dead. On lodging of FIR, the investigation process commenced and multiple samples were sent for chemical analysis and the body of deceased was sent for post mortem. According to the information relayed by the accused certain witnesses were examined and evidence was gathered which indicated that the accused in fact had killed his father and hence, the charges under sec. 302 of IPC were pressed against him.

✓  
Yes/No

Date: 20.03.2023

17. Refer Notice served

18. Despatched on .....

Manoj Dubey  
Forwarded by Station House Officer  
Officer/Officer in-charge

Name: MANOJ DUBEY  
Rank: SHO No. MH05050505

Tiwari  
Signature of the Investigating officer  
submitting the Final Report / Charge Sheet

Name: RAJESH TIWARI  
Rank: PSI No. MH01010101