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**Time : Year, Month, Day.**

**ADDITIONAL HON'BLE CHIEF OF METROPOLITIAN  
MEGISTRATE COURT, COURT NO.-21**

**AHMEDABAD**



**CRIMINAL CASE NO.-14899/2017**

**NO.-**

**Complainant:-**

**Government**

**Versus**

**Accused:-**

(1) Jigneshbhai Natwarbhai Mevani, Age-35

Res. 104 Chuwadnagar, Rameshwar  
Char rasta, Meghaninagar,  
Ahmedabad

(2) Rakeshbhai Bhikhabhai Maheriya, Age-34  
Res. 53/1694, Krishnadham Aavas,  
Sector-1 Vejalpur, Ahmedabad.

(3) Ramanbhai Gandabhai Maheriya, Age-57  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(4) Mansukhbhai Sivabhai Maheriya, Age-50  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(5) Manojkumar Ramanbhai Maheriya, Age-27  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(6) Tejasbhai Sureshkumar Maheriya, Age-  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(The Charge sheet against the accused has been  
produced in the Juvenile Court.)

- (7) Maheshbhai Dineshbhai Chauhan, Age-24  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (8) Ramabhai Becharbhai Jhala, Age-53,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (9) Bipinbhai Bhanubhai Pandya, Age-23  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (10) Ramanbhai Becharbhai Maheriya Age- 48,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (11) Parsottambhai Cherabhai Maheriya, Age-53,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (12) Haribhai Jhalabhai Maheriya, Age-57,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad
- (13) Mohanbhai Meethabhai Maheriya, Age-57,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(14) Chhaganbhai Valjibhai Maheriya, Age-58

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(15) Jagdishbhai Ramjibhai Maheriya, Age-34,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(16) Muljibhai Motibhai Makvana, Age-53,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(17) Rameshbhai Danabhai Jhala, Age-41,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(18) Bhailalbhai Tochabhai Jhala, Age-45,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(19) Geetaben Dineshbhai Maheriya, Age-43,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(20) Chhayaben Jesingbhai Maheriya, Age-38,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(21) Sarojben Raseekbhai Maheriya, Age-43  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(22) Naynaben Vijaybhai Maheriya, Age-29,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(23) Madhuben (Known as) Savitaben  
Maganbhai Jhala, Age-43,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(24) Jyotsanaben Jagdisbhai Maheriya, Age-33,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(25) Minaben Bipinbhai Jhala, Age-37,  
Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(26) Lakshmiben Ranchhodbhai Maheriya Age-40,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(27) Dharmishthaben Girishbhai Jhala, Age-28,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(28) Sushilaben Kirtikumar Jhala, Age-40,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(29) Kokilaben Khodabhai Maheriya, Age-33,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(30) Sangitaben Manishbhai Makwana, Age-29,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

(31) Nitaben Bipinbhai Maheriya, Age-29,

Res. Village- Saroda, Dis.- Dholka, Ahmedabad

**Offenses: Indian Penal Code under Section- 143, 147,  
149, 332, 120(B), and Indian Railway Act  
Section- 153**

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**Towards Government : V.S.A.P.P. Mr. H.R.Shah**

**Accused No. - 1 Towards: V.V. Mr. P.H.Vaghela.**

**Accused No. - 2 From 5 and 7 to 18 and 22, 28 to**

**31 Towards: V.V. Mr. B.J.Sekhawa**

**Accused No. - 19, 21, 23, 24, 27 Towards: V.V.Mr.  
S.M.Pram**

**Accused No. - 20, 25, 26 Towards: V.V. Mr.  
P.C.Jadugar**

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**--: O R D E R :--**

- (1) The facts of the complaint of this case are in brief that, during the hours- 17.40 to 18.05 on the day of the previous Date 11/01/2017 on Ahmedabad Kalupur Railway Station Platform No. - 10 above, the Complainants of the work came together from different areas in Kalupur Railway Station Platfrom No. – 10 before the departure time of Rajdhani train, with the intention of achieving the same intention of each other,

in order to present themselves under the leadership of Accused No.1 in advance of happening determined. In order to achieve their pre-determined intention, the accused formed a group in collusion with each other to stop in the train and to satisfy their demand, they stopped the train, climbed on the engine of the train and sat on the railway track and created an obstacle in the running of the train. In order to carry out their same intention, the accused in this case violated the Railway rules and illegally entered the railway station without any pass or permission. Due to the act of the accused, the safety of the train and the passengers also come into question. Due to misbehavior of the accused, the train departed later than its scheduled time. In an effort to achieve their illegal intention, the accused helped each other and formed an illegal association. The accused have obstructed the duty of a public servant of the Government of India. By chanting slogans to satisfy their demands, they expressed anger against the government and illegally stopped the train for 20 minutes by constructing a structure for the convenience of the passengers of the train. While trying to remove these Accused from the railway track was arrested from the spot and committed the crime by causing injuries R.P.F. Women Sangitadevi on her left hand. The Complainant of this work has become a witness towards the government



against the accused of this work declaring the complaint of Ahmedabad Railway Police Station Publicizing this complaint F.I.R. Section No.-08/2017 to I.P.C. Section-143, 147, 149, 332, 120(B) Indian Railway Act Section 153. The accused in this case were arrested and the Investigating Officer found the evidence at the end of the investigation to be criminal against the Accused Cr. P. C. under Section 173 and charge - sheet inserted on 09/03/2017.

- (2) On the service of summons to the accused in this case, they after ensuring that the accused appearing through counsel were provided with the copies of the police investigation papers subject to the provisions of the Criminal Procedure Code under Section 207, my predecessor filed the charge - sheet No. - 07 of the alleged offense on 21/09/2019 total 27 Accused were present in in order to statement of Accused No.- 08 to 34, stating that the accused have not admitted the crime, it has been ordered to keep the case on the evidence of the Complainant party.

Accused of this No. - 06 Tajeshbhai Sureshbhai towards after that No. - 80 to raising objections that he is a Juvenile, my predecessor allowed his application and

ordered that accused No. - 6 to produce the complete charge - sheet in the Court.

Then all the accused in this case appear and this case is transferred from Court No. - 5 to Court No. - 13 and all the accused in this case appear in favor of the accused from No. - 106 to my predecessor and from my predecessor against Accused No. - 06 and other Accused No. - 107 to the indictment. The order dated 18/02/2021 was read and explained, the statement of the accused persons from No. - 108 to No. - 137 were not admitted to the record and the evidence of the Prosecution was adjourned.

**(3)** This work has presented the following oral and documentary evidence during the Prosecution's evidence as well as during cross-examination by the accused.

**-: Oral Evidence of the Prosecution:-**

1. No. - 139 From appellant Inspector Mr. Narendra Kumar Khushal Singh Verma evidence on oath.
2. No. - 144 From Panch Samandarbhai Ibrahimbhai Shaikh evidence on oath.

3. No. - 148 From Panch Ferozkhan Sikanderkhan Pathan evidence on oath.
4. No. - 149 From Panch Ruksana Salimali Ansari evidence on oath.
5. No. - 165 From witness Sangeetadevi Hareshkumar Saroj who was injured evidence on oath.
6. No. - 172 From witness Kamleshbhai Kalabhai Buval evidence on oath.
7. No. - 173 From witness Mangurbhai Nanjibhai Rathoad evidence on oath.
8. No. - 176 From witness Dr. Hemangi Nayankumar Swaminaryan evidence on oath.
9. No. - 179 From witness Bheemsingh Galubhai Patel evidence on oath.
- 10.No. - 182 From witness Janadarn Jayantilal Haribhakti evidence on oath.
- 11.No.-184 From witness Deelipsingh Parbatsingh evidence on oath.
12. No.-186 From witness Jagdishchandra Abheysingh Parmar evidence on oath.
- 13.No. - 190 From witness Chetansingh Jagdishsingh Jadeega evidence on oath.
- 14.No. - 193 From witness Sanjaybhai Somabhai Kathad evidence on oath.
- 15.No. - 199 From witness Mitalben Rameshbhai Neemavat evidence on oath.

- 16.No. - 202 From witness Vijaysingh Mansigh Jhala evidence on oath.
- 17.No. - 207 From witness Dasrathsingh Lalubhai Gadhvi evidence on oath.
- 18.No. - 212 From witness Elaben Bheekabhai Khodiya evidence on oath.
- 19.No. - 214 From witness Tejalben Umedbhai Khacher evidence on oath.
- 20.No. - 216 From witness Kalpanaben Sankarbhai Bodat evidence on oath.
- 21.No. - 217 From witness Puniben Oghadbhai Parmar evidence on oath.
- 22.No. - 223 From witness Mamtaben Vallabhbhia Chauhan evidence on oath.
- 23.No. - 225 From witness Vishwababen Batukray Pandya evidence on oath.
- 24.No. - 226 From witness Geetaben Bababhai Khambhal evidence on oath.
- 25.No. - 227 From witness Dheereeben Thanabhai Ram evidence on oath.
- 26.No. - 228 From witness Parvatiben Heerabhai Gorfad evidence on oath.
- 27.No. - 230 From witness Bhavnaben Pravinbhai Patel evidence on oath.
- 28.No. - 231 From witness Raseekaben Dheerajibhai Pandav evidence on oath.

- 29.No. - 233 From witness Nehaben Vajsibhai evidence on oath.
- 30.No. - 234 From witness Kokilaben Rameshbhai Daranga evidence on oath.
- 31.No. - 236 From witness Kirankumar Dineshbhai Parmar evidence on oath.
- 32.No. - 237 From witness Sunilkumar Sureshbhai Raval evidence on oath.
- 33.No. - 239 From witness Krunal Vasudev Datania evidence on oath.
- 34.No. - 241 From witness Khusbuben Bahadurbhai Babariya evidence on oath..
- 35.No. - 242 From witness Bijendrakumar Shree Hanuman Prasad evidence on oath..
- 36.No. - 244 From witness Purnisingh Prabhatsingh Rajput evidence on oath..
- 37.No. - 245 From witness Rajeshkumar Girishchandra Pandey evidence on oath.
- 38.No. - 249 From witness Visank Bisansingh Rathoad evidence on oath.
- 39.No. - 255 From witness Rajivkumar Ramchandraprasad Seeg evidence on oath.
- 40.No. - 258 From witness Jitendrabhai Ramdas Sharma evidence on oath.
- 41.No. - 259 From witness Manubha Tapubha Jhala evidence on oath.

- 42.No. - 260 From witness Dineshbhai Rajendrababu Sharma evidence on oath.
- 43.No. - 264 From witness Sanjiv Dayaram Pandey evidence on oath.
- 44.No. - 265 From witness Shivilal Gopilal Jogi evidence on oath .
- 45.No. - 269 From witness Iqbal Sakeel Ahmed evidence on oath .
- 46.No. - 273 From witness Ramsingh Kheladi Jogi evidence on oath .
- 47.No. - 276 From witness Prakashchandra Punarchandra Morva evidence on oath.
- 48.No. - 435 From witness Bheemsingh Punabhai Bamaniya evidence on oath.
- 49.No. - 468 From witness Mohammadilyas Habibulambiya Hashmi evidence on oath.
- 50.No. - 486 From Investigating Officer Mr. Hasmukhbhai Seekabhai Rathav evidence on oath.
- 51.No. - 546 From Investigating Officer Mr. Deelipkumar Jeevanbhai Chaudhary evidence on oath.

**-:Documentary Evidence of Complaining Party:-**

1. No.-140 From Complaint.
2. No.-145 From Panchnamu.

3. No.-166 From Injury Certificate.
4. No.-256 From Proceedings of Rajdhani Express.
5. No.-488 From Panchnamu.
6. No.-487 From Report.
7. No.-488 From Crime place name
8. No.-489 From report
9. No.-517 From List of treatment certificate
10. No.-528 From C.D.
11. No.-529 From form as per C.R.P.C. Section- 154

After that, the Prosecution has submitted written evidence in this matter from the No. - 547.

**(4)** After the completion of the evidence of the Complainant in this work, after reading the record in the present work C. R. P. C. under Section 313 Evidence has been denied to the Complainant in this case by taking a special statement. The special statement of the accused in this work does not appear to deny any particular facts. The accused of this work it has been claimed that filed a false complaint against the political party Ragdesh Puvak and that he is innocent.

**(5)** In this case the Complainant V. Special A. P. P. No. - 558 has given written and mainly oral submission that

the accused persons in this case formed an illegal association in connivance with each other and illegally entered the Kalupur Railway Station. The protestors of this work blocked the movement of the Rajdhani Express train on platform No. - 10. The Train departed about twenty minutes late due to obstruction by the accused of the incident. The perpetrators of this act created fear in the passengers of the train. The accused in this work sit and lie down on the railway track and climb on the railway engine and chanted slogans against the Government. Sangitadevi was injured due to the attack by the accused while removing the accused from the site. The accused of this work were arrested from the place. In this case, the complainant and other witnesses prove the facts of the complaint in evidence on oath. During the Prosecution's evidence in this case, the facts of the offense committed by the accused have been brought on record. The facts of the crime of the accused in this work have been proved beyond doubt by the Prosecution. If the defense taken by the accused in this work is taken into consideration, it does not follow that the facts of the evidence of the Complainant in the defense of the accused are refuted. Considering all these facts, the accused should be punished according to standard.



In this regard, the senior counsel for accused No. - 1 Mr. H. I. Saiyed oral and this work of accused No. -1 Mr. V. V. No. - 584 submitted written argument it is mainly submitted that, in this case, charge have been framed against the accused in accordance with the allegations made by the complainant. In this case, if the charge - sheet against the accused is taken as a regarding. The charge is incomplete and defective. In the charge framed in this work, the main allegations are that the accused have formed an illegal association and conspired to carry out the illegal intention. Considering the facts of the evidence in this case, the Prosecution has not tried to prove any facts as to where this conspiracy was hatched, who was it's mastermind and what was the common intention of the accused. This does not prove a conspiracy. No facts have been brought on records as to what was the illegal intention of the accused in this deed. No facts have been brought on record as to what loss the Railways suffered due to the act alleged to have been committed by the accused in this work. The act committed by the Complainants of this work is nothing more than a slander against the government by the accused for their demands. The accusers in this case injured Sangeeta Devi. The facts of being done are not reflected in the evidence of Sangeeta Devi herself or in the evidence of Doctor. The facts of being obstructed in

duty or the facts of injury caused to them by the accused cannot be proved on record. Considering all these facts, the fact that the Prosecution is not successful in proving the allegations against the accused in this case, the accused should be acquitted. Also the following Judgment has been submitted in support of this submission. The Judgment which this work has been read with respect.

1. (2004) 12 Supreme Court Case No. - 398 Chanakaya Dhibar (deceased) Vs. State of West Bengal and others.
2. H.I.R. 1956 Supreme Court Case No. - 731 Chikrange Govda Vs. State of Mysore.

In this case Accused No. - 2 to 5 and 7 to 18 and 22, 28 to 31 towards Mr. V.V. has adopted the submissions made by the senior Counsel for Accused No. - 1 in this case. As per written argument of No. - 584 submitted by Accused No. - 1 on their behalf.

In this case accused No. - 19, 21, 23, 24, 27 towards Mr. V.V. has adopted the submission made by the Senior Counsel for accused No. - 1 in this case. Apart from this, written and oral representations have been

made on their behalf from No. - 585, that the fact of the Prosecution have not been successful in proving the facts that the accused in this case have committed this so - called crime. No clear evidence has been placed on record against the accused in this case. The fact that the accused in this case have formed an illegal association or committed an illegal act or conspired have not been proved on record. Sangeetadevi, the injured party herself, does not say that the injury suffered by the injured party was caused by the accused. All these facts do not give reason to believe that the complainant succeeds in proving the allegation against the accused, of this work. In this work, on behalf of the accused, of their own representation the following judgments are cited in support which were respectfully read.

1. 2015(2) S.C.C. 727 South Central Railway Employees Co. - O. Society employees Union Vs. B. Yasodabaie and others.
2. A.I.R. 1976 S.C. 975 Bhageerat Vs. State of Madhya Pradesh.
3. A.I.R. 1976 S.C. 985 Bhagwansingh Vs. State of Madhya Pradesh.
4. A.I.R. 1973 S.C. 2773 Kaliram Vs. State of Himachal Pradesh.

5. A.I.R. 2000 S.C. 53 Kamsha Ray and others Vs. State of Uttar Pradesh.

6. A.I.R. 1999 S.C. 1709 State of Uttar Pradesh Vs. Motiram and Others.

In this case Accused No. - 20, 25, 26 towards V. V. towards Shree has adopted the submission made by the Senior Counsel for accused No. - 1 in this case. It is further stated that the complainant has not presented any clear evidence regarding the presence of the accused in this work. The facts as to what offense was committed by the accused in this work have not been brought on record in the evidence of the Prosecution. The fact that the accused persons were falsely implicated in the commission of this crime should lead to the acquittal of the accused person.

**(6)** Considering the facts, circumstances and evidence adduced in the above case, the following issues arise for judicial decision.

**:- ISSUES:-**

(1) Whether the complainants have proved the fact beyond reasonable doubt that the Complainants in this case formed an association with the intention of carrying out the common intention of each other to rise slogans regarding their demands against the Government. The accused of this work intend to carry out their same intention to form a group and go to Ahmedabad Kalupur Railway Station to chant slogans and stop the Rajdhani train departing from platform No. - 10 at Kalupur Railway Station Ahmedabad and stop the train by sitting and lying down on its Railway track and climbing on the engine of the train, and determined to present themselves. The accused of this work formed a group and somehow entered the Kalupur Railway Station for the purpose of carrying out their same intention. On 11/01/2017 gathered on platform No. - 10 at Kalupur Railway Station at Ahmedabad. In order to carry out their pre-determined illegal intention, some of the accused climbed on the engine of the train and some sat on the Railway Platform and some lay down on the Railway tracks to delay the Rajdhani Express train for about twenty minutes beyond its scheduled time. After removing these accused from the railway track and from the engine of the train, the train could move forward. Is

the act committed by the accused in this work of the Indian Penal Code under Section-143, 147, 149, 332, 120(B), and the Indian Railway Act - 153 an offense is punishable?

(2) What order?

**(7)** The Judicial decision on the above issues is as follows.

1. In the negative.
2. As per final order

**:-REASONS:-**

**(8) Joint discussion of reasons for item No. - 01:-**

In this work the following oral and documentary evidence have been presented by the complainants in pursuance of the allegations made against the accused. The evidence presented by the witnesses to this work is largely reproduced here in an expanded form as it stands.

- (1) Prosecution No. – 165 From witness Narendrakumar Khushalsingh Verma, in his evidence on oath stated that

in the year 2017 he was presented on duty as R. P. F. Inspector in Ahmedabad Railway. During that time he was present on duty on 11/01/2017 at approximately 11 hour. During duty at half past six in the evening information received from the R.P.F. control room that, above platform No. - 10 train No. - 12957, Rajdhani Express from Ahmedabad to New Delhi was stopped from moving. In which 25 to 30 people are involved. Some people are on the train engine and some people are standing on the railway track. According to this instruction, Sub-Inspector Mr. Ravindnathsingh was informed over the phone and told to reach the incident site. He himself went to the spot along with the office staff. While leaving, Head Constable Divijay Singh was instructed to bring the videographer and Female Constable along. They reached on platform No. - 10, saw Jignesh Mevani and another one unknown men standing on the engine of Rajdhani Express. They used to raise slogans do not let the train run. Some of the women and men accompanying them slept on the railway tracks and tried to stop the Rajdhani Express train and were not allowed to proceed. So witness explained to them that it is a punishable offense to climb on the train engine and stop the train from moving.

During that G. R. P. P. I. Mr. Rathwa arrived with his staff men and witnesses staff men and Women Constable arrived there. Then he explained to the people standing on the engine and sleeping on the railway track that it is illegal to obstruct the movement of the railway. So Jignesh Mevani said loudly that no one will derail on railway track and no one is going to derail. By saying this to them, some women threw off their sarees in front of the women constable. So the women constable took these women away from the track and removed all the men too and dropped Jignesh Mevani and his companion on the engine.

Removing women from the track R.P.F. women constable Sangeetadevi sustained an injury on her left hand. After removing everyone from the track, the engine drivers were asked to go ahead. After that, the vehicle was delayed by 20 minutes. The reason for his delay was that these people climbed on top of the engine of the Rajdhani Express train and laid down on the railway track causing obstruction, the Rajdhani Express departed 20 minutes late.



After that Jignesh Mevani and his colleague women and men R. P. F. and G. R. P. F. cordon with staff on carried away G. R. P. P.I. Rathwa assigned. On questioning there, Jignesh Mevani showed his name as Jignesh Natwarbhai Mevani and said that the train was stopped due to the government not fulfilling the demands of the Dalit community. Then 17 men and 13 women whose names are not known, were booked for unauthorized access to railway engines and railway tracks, forming an unauthorized assembly and obstructing the running railways along with Jignesh Mevani were booked by G. R. P. complained well to take proper action. This complaint P. I. as Rathwa Sir gave in person and the whole incident was videography, the videographer's duty is to protect the pilgrims of Rajdhani Express.

After that Panchnama of the place created in the place where the Panch were made in person. The space to be created is clearly shown. The Panchnama started at 22:35 hour and was completed at 23:15 hour. Panchnama of this incident done on 11/01/2017. They can identify the accused by sight. The one who is present in the court is the same. In which Jignesh Mevani is not present. They G. R. P. P. I. Mr. Rathwa filed the case and

proceeded further complaint. On 11/01/2017 is presented from No. - 140 by showing his signature and showing them.

In cross - examination on behalf of this witness accused No. - 1 states that he was serving in R. P. F. since 1998. When the present incident happened, he worked as R. P. F. Inspector for 12 years. He was present on duty on the day of the complaint. No supporting evidence has been presented in this case to show that. The number from which the call came on their phone is not mentioned in the complaint. It is not stated in their complaint that which person from control called them. He was working in Ahmedabad Railway for two years at the time of this incident. At the time of this incident, Ahmedabad railway station had 12 platforms. Any railway station has more than one approach. A person can walk from the railway track to the platform. It is not mentioned in the complaint which way the accused came to the railway platform. At the time of the incident there were C. C. T. V. cameras at the Ahmedabad railway station. As required R. P. F. men at Ahmedabad Railway Station. They have not produced any evidence to indicate what time Rajdhani is scheduled to leave on the platform No. - 10 with the complainant. If you want to go up, you

can go by walking on platform No. - 10, you need a railway ticket or a platform ticket. They have not registered against the accused the offense of being on platform without platform ticket or railway ticket. Witness has volunteered stated that it is none of his business. The G. R. P. has been handed over to the accused, so it was not the duty of the witness to take action in that regard. P. S. I. Rabindranath Singh was the duty officer at that time.

His office was on platform No. - 1 at that time. His office and P. S. I. Rabindranath Singh's office is the same. They do not remember now how many staff they went to the site after learning about this incident. They reached immediately when they came to know about the incident. They do not remember the exact time they reached. His identity proof was not taken indicating that the accused is Jignesh Mevani. Witness has voluntarily stated that their agitation was running in the paper every day. Then photos and news would come. So they were known. In their complaint, it is not written how the accused know Jignesh Mevani. Witness has voluntarily stated that the person writing the complaint did not ask. The identification parade is not conducted in the

presence of witnesses of the accused in person by the Executive Magistrate.

The complaint does not stated what time Rajdhani Express arrives and departs. Witness has volunteered stated that the Rajdhani Express departs from Ahmedabad so they have not mentioned the time. In their complaint vehicle No. - 12957 it is not written that was a train from Ahmedabad to Delhi. When witness reached the place of incident, a large crowd had gathered. Witness voluntarily stated that, in the crowd, passengers, railway employees, R. P. F. and G. R. P. Staff Jignesh Mevani and his colleagues were present. He could not tell the approximate number of people gathered at the place of incident. Witness does not remember at what time Head Constable Divijay Singh, Female Constable and videographer reached the spot. Witness has voluntarily stated that he reached when the operation of removing the accused from the engine and railway tracks was going on. They have not mentioned named the videographer in the complaint.

When witness went to the incident site, two persons were on the engine. The name of the other

person is not mentioned in the complaint. The number of persons who slept on the railway tracks is not mentioned in the complaint. The complainant denied that it is not written in the complaint that the train will not be allowed to move forward. It is denied that it was not written in the plaint that who was eavesdropping. The name or description of the woman who took off the saree has not been mentioned in the complaint. How long did this incident last estimated time not written. Witness himself has not arrested any accused. Witness voluntarily states that they have G. R. P. assigned to take further action. It is not established that G. R. P. F. has been arrested any accused in the presence of witness. I do not remember the time at which I went to the railway police station to file a complaint. They wrote the complaint orally. They typed it and witness signed it. Witness orally told the facts in Hindi language. They do not remember how long this process took. After the incident, he immediately went to the railway police station to file a complaint. Can't remember the exact time. It is not established that they themselves or in their presence received any weapon causing damage from the accused. It is not established that the saree of the female accused was possessed in the presence of the witness.

They do not have to give information about what time the train will arrive and what time it will depart. Witness voluntarily states that if there is any delay in train arrival, they have to inform them. They also have to act on it. It has been denied that there was any obstruction in the arrival and departure of the Rajdhani Express, not told to the superior officer. It is not stated in the complaint that which of his superior officer gave this information. No statement has been taken from him after filing the present complaint. **The accused did not damage any railway or railway tracks. The accused did not damage any property of the Railways.** Witness did not interrogate any questioned to guard, driver or passenger of Rajdhani Express.

Witness has denied that he did not participate in any other action of the police after filing the complaint and stated that, the Panchnama is his done in person. The place to be built is panchanama is Platform No. - 10. It happened in his presence. He does not now remember how long he was with the Railway Police after filing the present complaint. After writing the complaint, he went to do the Panchnama of the place to be incident at 10 o'clock. They stayed there from 22.35 hour to 23.15 hour. To do Panchnama G. R. P. P.I. and their staff men

gone. Panch accompanied them from the Police Station. In their presence no action was video-recorder. Panch was not given any supporting evidence of witness identity. They were not went to the police station after filing the complaint and getting the panchnama. When he went to write a complaint, R. P. F. Staff and G. R. P. F. Staff were present. These staff men were present there till the complaint was completed. A lot of people come and go at Ahmedabad railway station. Many times, if the train does not run on time, the passengers used to make noises. How many people went with R. P. F. name of is not written in the complaint. It is not stated under which law witness wrote. Sometimes they are informed in advance if there is going to be an underground strike in the railways. Witness reached the place before 5-40 hour and removing the accused and left after train move on.

A question has been asked about the contradictions during the evidence of witness. Which is denied by witness. During the evidence of this witness, he has been asked negative and accusatory questions which witness has denied.

This witness is accused No. - 2 to 31 towards If the cross - examination of read then accused No. - 1 towards that cross - examination is verbatim, it is not repeated here for the purpose of avoiding repetition and prolongation.

(2) Prosecution No. - 144 From panch witness Samandarbhai Ibrahimhai Sheikh and No. - 148 Panch witness Ferozekhan Sikanderkhan Pathan and No. - 149 to Panch Rukshana Salimali Ansari in his evidence on oath stated that, the police took their signatures and thumbs as Panch but no action was taken in person. Declaring these Panches to be obsolete, Special A. P. P. does not corroborate the facts of Panchnama despite asking him pointed questions. It has been admitted that during the cross-examination, these Panches did not find any facts except signatures and thumbs in the panchanama.

(3) Prosecution No. - 165 from witness Sangitadevi Harkeshkumar Saroj, in her evidence on oath stated that in the year 2017, she was working at Kalupur Railway Station. On 11/01/17 at 17.45 hours Ahmedabad Railway Station Platform No. - 10 Ahmedabad to Delhi Rajdhani Express led by Jignesh Mevani, 18 men and 13



women illegally entered the railway station and boarded the front of the train. Other women fell asleep on the railway tracks. Regarding explaining these people G. R. P. F. and R. P. F. men went to them but they did not understand. So there was an attack, there was a scuffle in which witness got injured on his left hand. Which they treated. Then everyone was taken to the police station. There they were questioned and legal action taken. She can identify the accused as they are present in court.

This witness states in the cross - examination for the accused that, she has been working in railways for 7 years. She was working for five years at the time of the incident. No evidence has been furnished to the statement taking officer to show that she was on duty on 11/01/2017. At this time, her duty was on platform No. - 1. Witness is assigned duty by her superior. So that the place where her duty is allocated and she has to perform their duty. If she want to go to another place from the place where her duty is, the order is given by her superior. She was given platform No. - 1 from above platform No. - 10. The fact that she got a call about going is not written in their records. She went to the railway Police Station at half past eight to register her statement. When she went to file her statement, she was

accompanied by some sahib, but she does not remember which sahib. She does not know how to read and write Gujarati. The statements she makes are not made as if she was written in Hindi. He went to make a statement. Then it took about an hour. As she was injured at the time of the incident, she went to civil hospital for treatment along with G. R. P. F. staff man. After receiving treatment, she was given a certificate regarding the treatment. At the time of treatment, the doctor had written the history but the doctor did not give any representation that they had received the certificate written by Vaishali Lakhabhai Parmar in the injury certificate. At this time, regarding the injury of witness, the accused are showing the injury treatment to them so that the above treatment certificate is being referred during the testimony which is presented from the original treatment certificate number - 166. Her friend Vaishaliben went to get the certificate regarding her treatment and wrote in the certificate as she wrote.

Witness did not arrest any accused herself. When she went to the police station, she came to know the number of accused. Her statement did not mention the names of the accused. She did not know that the incident at the railway station was led by Jignesh

Mevani. No identification parade was conducted before the Executive Magistrate to identify them as Jignesh Mevani. Her statement was written in Gujarati and not explained to her in Hindi. Also, whose name is written in her statement is also not mentioned. She wrote nothing but numbers. Names of those who boarded on the engine of the train and who slept on the railway tracks are not written. Who went to explain to the agitators or the demonstrators is not written in her records. Kalupur railway station is overcrowded. At the time of the incident, Kalupur railway station had 12 platforms. If you want to go to platform No. - 1 to 10 it takes 5 minutes. It is not written in the statement that who was with the staff, where were the officers and how many were there.

A question has been asked about the contradictions during the evidence of witnesses. Which is denied by witness. During the evidence of this witness, she has been asked negative and accusatory questions which witness has denied.

(4) Prosecution No. – 172 From witness Kamleshbhai Kalabhai Buval, in his cross - examination in his evidence on oath stated that in the year 2017, he was present on his duty as P. S. I. in Ahmedabad Railway Police Station. At that time on 11/01/2017 evening

hours - 17.00 hours platform No. - 10 under the leadership of Jignesh Mevani ahead of Rajdhani Express train from Ahmedabad to Delhi, from Village - Saroda, District - Dholka, about 18 men 13 women climbed on top of the train engine and women sat on the train tracks and stopped the train. When they got information about it, they went to the incident place. Then there were R. P. F. Officers, employees and G. R. P. Police officers, employees have arrived. Those men and women who stopped the train were cordoned off and arrested and taken to the R. P. F. Police Station. All these have obstructed the stopping of the train and obstructed the duty of the government employees regarding which R. P. F. P. I. Verma Sir G. R. P. P.I. Rathwa Sir's presence All these accused were arrested after filing a crime I. P. C. under Section-143, 147 etc. and Railway Act Section-153. They supported in this operation and His statement was recorded on 11/01/17 in front of P.I. Ahmedabad Railway Station. He could identify the present accused Jignesh Mevani, but he could not identify the rest of the accused.

This is evidenced by Defense V. V. Mr. Ghwara in the cross - examination he states that on the day of the incident, his work was from eight in the morning to eight in the evening. His duty is supervision above platform No. - 01 to 12. Ahmedabad Railway has a total

of 12 platforms. If you want to go from one platform to another platform, you have to climb the stairs and go through the steps of the bridge, and there are numerous trains moving from all the platforms of Ahmedabad railway station, and thousands of passengers are moving from the trains every day. All platforms 1 to 12 are full of passengers. Ahmedabad railway station has a permanent police check at the entrance gate towards Kalupur. If there is a suspect, he is not allowed to enter the railway station during checking. If a person enters the railway station then re-checking takes place at the main gate of the Railway Station. Ahmedabad Railway Police Station platform No. - 01 there is and administrative work located on platform No. - 12.

On 11/01/17 he visited platform No. - 01 was engaged in investigation work. They came to know from hearsay that some people stop the train, so that they went platform No. - 10. He was told by his superior that to go above platform No. - 10, He has not presented any basis for giving any written or oral instructions. There are thousands of passengers on the platform. Some of them are straight railway tracks instead of climbing bridge stairs to other platforms.

Rathwa Sir only asked his name. Denying it, Witness has voluntarily stated that he was written the facts of the incident to Rathwa Sir. He, Rathwa Sir and the writer were there when he wrote his statement, no one else. Jignesh Mewani is an MLA from Gujarat and does occasional agitations, so they know him. Jignesh Mewani's news is frequently in the News-paper due to which they know him. As many as 18 Men and 13 Women were arrested at the time of the incident and they were the complainants and the proceedings were against them.

A question has been asked about the contradictions during the evidence of witness. Which is denied by witness. During the evidence of this witness, the accusers have asked him negative and accusatory questions which have been denied by the witness.

- (5) In case prosecution No. - 173 to witness Mangurbhai Najibhai Rathore in his cross-examination on oath stated that he was present on his duty in Ahmedabad Railway Police Station as Head Constable in the year 2017. On 11/01/2017 at 17.00 in the evening were above platform No. - 10. Then at 17:40 in the evening, around 18 men and 13 women from Village - Saroda, Dist.- Dholka, led by Jignesh Mewani, climbed on the engine of the train

and the women sat on the train tracks and stopped the train in front of the Rajdhani Express train going from Ahmedabad to Delhi. When they got information about it, they went to the place. Then there were R. P. F. Officers, employees and G. R. P. Police officers, employees had come. Those men and women who stopped the train were cordoned off, all of them were arrested and taken to the R. P. F. Police Station. All these have obstructed the stopping of the train and obstructed the duty of the government employees regarding which R. P. F. P.I. Verma Sir G. R. P. P.I. Rathwa Sir. All these accused were arrested by filing a crime I. P. C under Section 43, 147 etc. and the Railway Act Section 153. Witness supported in this operation and on 11/01/17 His statement was recorded in front of P. I. Sir Ahmedabad Railway Station. He can identify the present accused Jignesh Mevani, but they cannot identify the rest of the accused.

This is evidenced by Defense V. V. Mr. Ghwara in the cross-examination he stated that on the day of the incident, his work was from eight in the morning to eight in the evening. His duty is supervision above platform No. - 1 to 12. Ahmedabad Railway has a total of 12 platforms. If you want to go from one platform to another platform, you have to climb the stairs and go through the

steps of the bridge, and there are numerous trains moving from all the platforms of Ahmedabad railway station, and thousands of passengers are moving from the trains every day. All platforms 1 to 12 are full of passengers. Ahmedabad railway station has a permanent police check at the entrance gate towards Kalupur. If there is a suspect, he is not allowed to enter the railway station during checking. If a person enters the railway station then re-checking takes place at the main gate of the Railway Station. Ahmedabad Railway Police Station on platform No. - 1 there is and administrative work located on platform No. - 12.

On 11/01/17 he visited platform No. - 1 was engaged in investigation work. They came to know from hearsay that some people stop the train, so that they went platform No. - 10. He was told by his superior that to go above platform no. - 10, he has not presented any basis for giving any written or oral instructions. They have also on the contrary admitted that they have not written in their police personal statement that when they got the facts, they reached the spot and cordoned off the men and women who stopped the train.



There are thousands of passengers on the platform. Some of them are straight railway tracks instead of climbing bridge stairs to other platforms. Thus during the day many passengers jump the railway tracks and go to other tracks. His statement P. I. Rathwa Sir taken on 11/01/17 around 21.00 hour. When they wrote their statement, Buval Sir and D - Staff men and railway station duty men were present. They have not mentioned the names of the D - Staff men in their statement. They were given received verbal instruction to go up platform no. - 10, but no order in writing.

He has denied that Rathwa Sahib only asked his name-tham and wrote the statement in his own way. He wrote his report in the office of P.I. Sir. When they wrote their statement, no one was present except the men of the police staff. Jignesh Mevani is the current MLA, also Jignesh Mevani is active on Facebook and Whats - App, as they know him. From time to time they make representations of the poor, downtrodden, backward classes to the government, the news about them from time to time comes in News-papers, that is also how they know them.

A question has been asked about the contradictions during the evidence of witness. Which is denied by witness. During the evidence of this witness, the accusers have asked him negative and accusatory questions which have been denied by the witness.

(6) Prosecution No. - 176 to Dr. Hemangi Nayankumar Swaminarayan stated in her cross - examination on oath that she has been working in the Civil Hospital for the last 5 years. On 11/1/17 at 9:21 PM with police list of Ahmedabad Railway Police Station Vaishaliben Lakhabhai Parmaranas brought Sangitadevi Hareshkumar Saroj before them. Sangitaben Hareshkumar Saroj gave her own history that "today on 11/1/17 evening at 5:40 PM, a mob was injured by Jignesh Mavani's men and other mobs who were stopping the train while pulling the mob by hand. The patient was fully conscious and co - operative. The middle finger and ring finger of his left hand were painful and painful to touch, X-ray was normal" she injury certificate No. - 166. On seeing, it is in her autograph which has the seal of her Post that she identifies.

This is evidenced by Defense V. V. Mr. Ghwara In cross-examination stated that she did not ascertain

who Vaishaliben is. She also did not verify Sangitaben. Sangitaben's medical history denies that it was written by Vaishaliben. This injury is common, and this type of injury can also be caused by hitting, tripping, falling or misplacing the handle of the two wheeler. It is denied that she is giving false testimony in support of the complainant and that this patient was not examined by her herself and that the patient was examined by her junior and that she is a Government servant and that she is denied giving false testimony in support of the complainant.

(7) Prosecution No. - 179 From witness Bhimsingh Galubhai Patel in his cross-examination evidence on oath stated that in the year 2017, he was present on duty as A. S. I. At that time on 11/1/17 his job day was on Surveillance Squad duty. At that time Rajdhani Express train going from Ahmedabad to Delhi platform No. - 10 he was present on the Sadar train. At that time Dalit community leader Jignesh Mevani along with 18 men and 13 women protested against the Government along with some different demands. Some women slept on the tracks in front of the engine of Good Sadar train and some women took off their sarees and some men climbed on the engine at 17:40 hours the train was stopped for 20 minutes by protesting against the

government. So G. R. P. and R. P. F. even though the men tried to convince them, they did not believe. So G. R. P. and R. P. F. men caught them and took them away. Taking legal action against them at the R. P. F. Post office, Police Inspector sir did. The police inspector recorded his statement. They may recognize Jignesh Mevani and not the rest.

This is evidenced by Defense V. V. Mr. Ghwara in the cross-examination, he has stated that he has been serving in Surveillance Squad for the last 20 to 25 years. They have to deal with property related crimes, custodial type cases and arrest any such demonstrators in Surveillance Squad. He was on duty in Rajdhani Express train on 11/1/17. His P.I. Sir has taken statement along with it he has given proof that he was on duty on Rajdhani Express train. Also, they did not take any preventive action against the demonstrators. Witness has volunteered stated that they tried to stop him.

In response to a question that what they explained to whom and what they explained was not written in their police personal statement, they said that everything they explained to the demonstrators has not to be written in the statement. **Hardly anyone has complained about**

what the demonstrators have done. Names of 18 males and 13 females were not counted and recorded. He did not do any videography from his mobile phones if any women took off their sarees and slept on the front of the engine or climbed on top of the engine.

He has denied the fact that there is sufficient police staff and arrangement at the railway station, and that if a large number of people rush into the railway station, the police would come to know at the entrance itself. His statement was made as if he was speaking and someone was writing. He has denied that his statement was hand-recorded and that Jignesh Mevani is an MLA, a Dalit leader and is often reported in the media to misidentify him.

He himself verified the matter of Jigneshbhai Mevani. Witness himself did not stop Jigneshbhai Mevani. To give a statement went in the P.I. writer's chamber on 11/1/17, he doesn't remember the time. He does not know how long he stayed when he went to give his statement. He went at noon to give a statement in P.I. writer's chamber, the writer asked him in the chamber and he wrote to the writer. Witness has denied that he

does not remember the time of writing the statement as he was not on duty.

Ahmedabad railway station has daily movement of thousands of people, and the station diary records the duty allotted to them and the place where they are posted in the Surveillance Squad. Witness later stated that station diaries are not kept in Surveillance Squad. In the year 2017, Ahmedabad railway station had 13 platforms. Hourly movement of numerous trains on all these platforms living. Don't you know what time train arrives and departs on this platform? In response to such a question, it is stated that they do not have the information of all the trains.

The fact that these protesters what they were demanding against the government is not written in the statement. Also, it is not established that someone stopped the train and witness called 100 number and called the police. They have not written any names themselves. During the evidence of this witness, the accusers have asked him negative and accusatory questions which have been denied by the witness.

(8) Prosecution No. - 182 From witness Janardan Jayantilal Haribhakti in his evidence on oath stated that, in the year 2017 he was serving as Head Constable in Ahmedabad Railway Police Station Surveillance Squad. On 11/1/17 at above 17:40 hours Jigneshbhai Mevani along with 25-30 men and women went to platform No. - 10. At the time of Rajdhani Express train departing from Ahmedabad to Delhi at 17:45 hours to protest against the government against the various demands of the Dalit community, at 17:40 hours some people were lying on the track in front of the engine of the Rajdhani Express train, and some people climbed on the front of the train engine and chanted slogans the train was 20 minutes late. During this time he and the people with him and R. P. F. men trying to convince them there they did not believe them from there and brought them to the platform along with other men and caught them on platform no. - 1 was brought to the above office and his sir questioned him personally and took legal action. His statement was recorded. Other people may or may not be recognized as it has been a long time. He could recognize Jignesh Mevani.

Towards this witness accused V. V. Mr. Ghwara in the cross-examination, stated that he was working in the Railway Police Station for 3-4 years at the

time of the incident. They have the duty to catch criminals in Surveillance squads, take information about crime, protect public property, maintain law enforcement, protect government property. They have to perform duties in the areas falling under their jurisdiction and also where necessary.

It is admitted that no written order as to where his duty was on the day of the incident was enclosed with the statement. On the day of this incident, he was on present on platform No.- 1. He has the office of Surveillance Squad so that he has to come and go from time to time. While going to the from time to time police station, did he or any of his policemen get any information that a mob was coming? In response to such a question, he has stated that on getting the information about P.I. Sir, witness called the Surveillance staff men and other platform men to the police station and they all left with Sir to the place where they were to come. By whom and by which officer this information was received is not written in his statement.

He do not know exactly and how many staff men there are in their police station. Vijaysingh Mansih,



Bhimsingh Balubhai, Dilipsingh Parbatsingh, Chetansingh Jagdish Singh, Jagdishchandra Abhesingh were with him when his superior instructed him to go to the Rajdhani platform. Railway platform arrangement ahead is and some time it is not. He does not remember the time when his officer gave instructions to him along with his staff. All the staff men he enlisted from his surveillance squad were with him.

His police station is located on platform No. - 1. If a crowd enters in large numbers, the police station will be notified. Also if any crowd has entered on platform No. - 1, their police station has not taken any action. Ahmedabad railway station has numerous trains throughout the day. What Jignesh Mevani and other men were demanding is not written in their statement. Also, he himself did not make the videography of the incident which he narrates. Witness himself did not make the complaint that the incident as stated by witness had taken place and that the train had fallen due to it.

It has been admitted that the Rajdhani Express was not recorded as lying on the track in front of the engine and climbing on the front of the engine

chanting against the government due to which the train was delayed. At the time of the incident, apart from the names he wrote above, there were 15 - 20 officers and policemen. The names of those who persuaded the mob men were not mentioned in their statement. When did Rajdhani stand on the train platform? It is stated that they do not know about it. He does not even know how long he and his staff reached the platform after the arrival of the train.

Rajdhani Express has many coaches and it has coaches with number. Witness and his staff standing in front of which coach of Rajdhani Express it is not written in his statement. Witness himself did not arrest anyone. He was called to write a statement between 10:30 and 11:30 on the day of the incident. Denying that their duty is off, they have said that the Surveillance squad members have to be present for 24 hours. His statement P.I. writer noted in presence of P.I. Sir. At the time of the incident, he was staying on the platform around 20 to 25 minutes. He was accompanied by other police men and officers besides his Surveillance staff men and around 50 people were present along with the R. P. F. staff. The identity parade of the accused was not conducted before the Executive Magistrate in presence

of witness. The names of the accused are not mentioned in his statement.

Jignesh Mevani is the leader, the public face, T. V. and there are news about him in news-papers so that he admits to know him. He did not personally verify anything about Jignesh Mevani. He is employed in Surveillance Squad so his officer denied having written the statement after asking his name and address. It is denied that no such incident has been made out and no such accused has been arrested. It is not written in the statement that the protestors were arrested and interrogated directly and legal action was taken. The police have denied being the complainant and giving false testimony to support the complaint.

(9) Prosecution No. - 184 From witness Dilipsingh Parbatsingh evidence on oath stated that, in the year 2017 he was serving in the Surveillance Squad at Ahmedabad Railway Station. On 11/1/2017 platform No. - 10 of Rajdhani Express train - Jignesh Mevani and 18 men and 13 women at the front engine and formed an illegal association with to commit illegal conspiracy without permission within the railway limits Jignesh

Mevani and his men climbed on top of the front of the engine and rest of the men and women slept on the track in front of the engine. During that R. P. F. and G. R. P. the men came and told them to move from the front and get down from the engine, but he did not come down and shouted that this train will not be allowed to move forward. Later all R. P. F. and G. R. P. men cordoned it off and tried to remove it from there. So the women accompanying him took off their sarees and stood in front of the engine and female worker had a scuffle with R. P. F. Saritaben. Later asking them all to move from the front, they did not move. Later R. P. F. P.I. and G. R. P. P. I. All the men together removed him from there. After about 20 minutes, they left. Later, from there, all the 18 men and 13 women were taking them there into R. P. F. office and took legal action against them. Witness statement regarding the incident was recorded. He could recognize Jignesh Mevani and his men with him by sight. Those who stated that they are not present in the Court. On this day, among the accused No. 9, 16, 19, 20, 25, 30 were present in the Court and the presence of the rest of the accused was a report of pardon.

This is evidenced by Defense V. V. Mr. Ghwara in his cross-examination, stated that as he is in

Surveillance Squad, his duty hours are from 8:00 hour to 20:00 hour. Witness volunteered stated that if there is an emergency, the time can be extended. He coming at 8:00 hour above platform No. - 1 on 11/01/2017 he was in the Surveillance Squad's office. Ahmedabad railway station is a very big railway station. Numerous trains passing throughout the day and night. They know approximately which train arrives at which platform and which train departs from which platform. Whether he was present on duty on the day of the incident? No such written order or evidence has been produced in his statement. There is always a police presence at the entrance of the railway station. If a crowd rushes through this entrance in large numbers, the police of the present settlement will come to know. If common citizens want to come on the platform, they can go to another platform by climbing the steps in front of their office. Witness voluntarily stated that going to the Ahmedabad railway platform from the entrances towards Maninagar and Sabarmati can also be done through the accelerator gate. In both these places, there is an arrangement of R. P. F.

He did not get any information that witness is going to platform no. - 10. Witness has voluntarily stated that, P.I. Sir said. He did not mention in his police

presence statements who gave them such information. He came to the Surveillance Squad office at 08:00 on the day of the incident, then stayed for half an hour to an hour. Even during this period, he has not received any information that any mob has stormed the platform from the three places mentioned above. On the day of this incident, P.I. Sir's phone came on Jamadar at 17:40. He got no phone. All the men of witness and Surveillance were with the Jamadar. If you want to go above from his office to platform No. - 10, it takes about one to one and a half minutes.

No photography or videography has been done by witness mobile phone that mobbed climbed on the engine with or lying on the track in front of the engine or women demonstrating in their sarees. There were 25 to 30 people in the group. Witness did not stop anyone. He did not immediately write any complaint about such a mob demonstrating. He did not even count 25 - 30 men himself. He did not personally verify these 18 men or 13 women. Witness has voluntarily stated that he knew Jignesh Mevani.

There is a distance of 500 meters between the surveillance squad offices and R. P. F. offices. He does not know the name of the inspector who came from R. P. F. 20 - 25 men came with him and 7 to 8 of Vigilance and 10 to 12 men of other police came. Witness stayed for 30 to 35 minutes on platform no. - 10. Immediately after the creation of this group of men, they all rallied around half past five in the evening taken to the R. P. F. office. The R. P. F. office had to stop him for two hours. Then around nine o'clock they were given to their write the statement to good P.I. writer's office. His P.I. Sir and his writer's office are located next to each other. What he wrote to the writer, the writer wrote it. He did not written name or describe the men and women in his statement.

Jignesh Mevani is a Dalit leader and is known for raising the issues of Dalit and backward people. He has denied falsely identifying Jigneshbhai as being in the crowd. The identity parade of the Jignesh Mevani and crowd men was not conducted before the Executive Magistrate in presence of witness. Name does not recognize any of the accused present in court.

He did not mention the exact number of men and women on the engine or on the track in their police statement. Witness volunteered stated that there were no women on the engine, but there were women on the tracks. He did not name the officer or anyone else who told the mob to get off the engine in their statement. At the time of arrival and departure train on platform No.- 10 train are very crowded.

A question has been asked about the contradictions during the evidence of Witness. Which is denied by witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(10) Prosecution No. 186 From witness Jagdishchandra Abhesinh Parmar in his evidence on oath stated that he was present in all the D - Staff in the Surveillance Squad on 11/1/17 at 17/45 hours, He was present on the Rajdhani Express departing from Ahmedabad on platform No. - 10. There, Dalit leader Jignesh Mevani and 18 men and 13 women climbed on the front of the engine, slept on the tracks and shouted about illegal demands. During that R. P. F. Woman Constable Sangeetadevi Saroj was assaulted. Hit her in the hand.



Witness used to explain to those people, but he did not understand and they were taken to the R. P. F. office. Legally detained those people. Rajdhani Express was delayed by 20 minutes due to this. Further action P. I. Sir did, His statement was recorded. He can identify Jignesh Mevani by sight but not other people.

This is evidenced by Defense V. V. Mr. Ghwara in his cross-examination stated that, at the time of the incident he was serving in the Railway Surveillance Squad for five years. He was given to go up to platform No. - 10, his P.I. Sir gave the order. This order to him performed in person of P. I. Sir. Witness has voluntarily stated that this order was uttered while all the staff members of Surveillance Squad were present. The order was verbal. Ahmedabad railway station has numerous trains throughout the day and night. Ahmedabad railway station is visited by thousands of people during the day. Even during the arrival and departure of the Rajdhani Express train, there is a huge movement of people. Also he himself has not stopped anyone. He himself did not count how many male and how many female accused there are. He also did not count who and how many people climbed on the front of the train engine and who and how many people slept on the railway tracks. He

himself did not do any videography or photography of the incident. With them Surveillance 8 to 10 men and R. P. F. how many people there were they don't know.

When the train arrives at the Ahmedabad railway platform, there is a huge crowd of people boarding and alighting. He was standing on the engine part of the Rajdhani train. He did not identify R. P. F. employees by name. He denied that he had any knowledge of the attack on R. P. F. Female Constable Sangeetadevi Saroj and said that he was present there at the time of the attack. Neither he nor the Surveillance Squad staff with them caught the people who had committed such an attack. He had to stay for approximately 1 hour after the train arrived on Platform No. - 10. Surveillance squad men and R. P. F. men had to be detained for approximately two hours above platform No. - 10. It is accepted that the fact that the man or woman was explained in the police face-to-face statement was not written.

Whether he was present on the day of duty?  
No supporting evidence attached with the statement? In response to such a question, it is stated that at that time

of incident on 11/1/17, he was present in the Surveillance squad from 08.00 am to 20.00 pm. He has not produced any evidence showing that he was present on duty on the day of the incident along with his police statement. He was going home at approximately 08/00 to 08/15 in the night after finishing his work on this day. He did not write in his statement that, "Dalit leader Jignesh Mevani and 18 men and 13 women climbed on the front of the engine, slept on the tracks and shouted illegal demands." The Rajdhani train was late by 20 minutes it is told by Ghwara Sir. He did not count himself, and after going home from duty on the day of the incident, he did not come back directly to duty the next day.

He recognized Jignesh Mevani as he comes to the railway station every now and then to make demands. Jignesh Mevani has denied that he was lying at the railway station even on the day of the incident, as he was coming frequently. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(11) Prosecution No. 190 From witness Chetansingh Jagdish Singh Jadejasogand in his evidence on oath stated that in the year 2017 on 11/1/17 at 17/45 hours stranger men came to stop the Rajdhani Express train from Ahmedabad to Delhi, P. I. H. C. Rathwa Sir informed his in-charge Mr. Bhimsingh Balubhai that, the Station Master had given a written memo in Hindi which stated that, 18 to 20 men and women who climbed on the engine of the Rajdhani Express train on platform No. - 10 and came on the track, were caught and told to take appropriate action. At that time R. P. F. and G. R. P. men went and tried to stop them. During that time they were taken from there and above platform No. - 1 and action taken to R. P. F. Police station. His statement was recorded. He did not get to know the names of strangers.

This witness stated in the cross-examination made by the defense that in his statement dated “in the year 2017 on 11/1/17 at 17:45 hours, strange men came to stop the Rajdhani Express train from Ahmedabad to Delhi, P.I. H. C. Rathwa Sir informed his in-charge Mr. Bhimsingh Balubhaina that the station master had given a written memo in Hindi which stated that 18 to 20 men and women from platform No. - 10 who climbed on top of the engine of the Rajdhani Express train and came on the

tracks, caught them and told them to take appropriate action." It is not written. This fact has been denied by Bhimsingh Sir.

The personnel serving in their surveillance squads are allotted duties on different platforms. At the time of this incident, he was serving in the surveillance squad for one and a half years. Above the platform during the day and night there are countless trains and thousands of people moving, and he has gone up to the platform, but he has not taken any videography or photography, and he himself has not stopped anyone. The police have denied giving false testimony in support of the complainant.

(12) Prosecution No. 193 From witness Sanjaybhai Somabhai Kathad in his evidence on oath stated that on 11/01/17 in the year 2017, the Rajdhani Express train departing from Ahmedabad to Delhi, Stopped above platform No. - 10. Jigneshbhai Mevani of Dalit Adhikar Manch along with 18 men and 13 women and stopped at 17:45 hours. Women and men lay down on the train tracks and stopped the train. Then he went there with the staff men to the platform and taken those men to the

R. P. F. Police station and action was taken against him by his station in-charge. His statement was recorded. He had seen them all on the day of the incident.

This is evidenced by Defense V. V. Mr. Ghwara in cross-examination stated that his Railway Police Station Kalupur located at platform No. - 1. His Railway Police at that time had 200 to 250 men in staff. He was working as a writer at that time. As a writer, he has to record the complaint of the complainant and write what his superior officer writes. As a writer, he has to serve in the police station. Vasava Sir has denied that he told him about the incident of stopping the train during his cross-examination. On the day of this incident, his duty hours were from 12-00 to 20-00. During this time no written order was given to him that he has to go on duty somewhere outside the police station. Denying that he did not go out of the police station on the day of the incident, witness said that an announcement was made by the railway authority that the Rajdhani train was stopped and the staff on duty told them to reach the spot of the incident. Whenever any emergency occurs inside the railway, the employee on duty must go to that place.

He has denied that he himself has heard the announcement of the Railways. He heard around the announcement made by the railways around 17-45. On hearing this announcement, he and other staff members went to their superiors in response to the question that, their superiors were present there that time. The railway police staff came to know about this railway announcement. Hearing this announcement, he and Mangurbhai Nanjibhai went together. They are arrived on platform No. - 10 around 17:55. Both of them have denied that any other Railway Police men were there when they reached there. Hearing the announcement of the railway, no other officer of the writer section of the railway police went to the spot except Mangurbhai. Witness said that the people of the other department were present.

In the time of 2017, entry was made from five places on the railway platform and two entries were made from platform No. - 12. On these seven entries, the Railway Police and R. P. F. refused to be present on duty. If you want to go to the railway platform, you have to take a platform ticket. Has this platform ticket been taken by the person coming? It is also checked. 18 men and 13 women did not have any crime registered in their

police stations for not having platform tickets. He has not written a complaint about this work.

During 2017, in his Police Station he is working as Investigation Writer and Mangurbhai Nanjibhai and as P.I. writer Shyambhai and Vanjarabhai as writers were like that. He himself has not recorded anyone's statement in this work. He went to his office around 21-00 to file his statement. His statement was recorded by Shyambhai in the presence of the investigating officer. His statement was recorded in about five to seven minutes with him speaking and Shyambhai writing. At the time his statement was recorded, were the statements of any other witnesses recorded? He don't realize it.

This railway platform is visited by numerous trains throughout the day and thousands of people move. Denying that he cannot tell which train arrives on which platform, witness has voluntarily said that there is information about important trains. During the arrival and departure time of any train, the platform is crowded. He himself has not shot a video of any such incident. He himself did not stop anyone. He himself did not count



how many women there were and how many men there were. Witness volunteered stated that, but there were so many men. He did not name anyone in his police face to face statement.

Denying that he has not verified that Jigneshbhai Mevani is the same person, Witness has voluntarily stated that at that time he was in production and the prisoner was in custody so he says. Jigneshbhai Mevani was misidentified as a Dalit leader and as he appeared in the TV media from time to time denied being shown. During the evidence of this witness, he has been asked negative and accusatory questions which witness has denied.

(13) Prosecution No. - 199 From witness Mitalben Rameshbhai Nimawat in her evidence on oath stated that, in the year - 2017 she worked at Kalupur Railway Police Station she performed her duty as a Woman Lok-Rakshak. At that time on 11/01/17 at 17.45 hours above platform No. - 10, the Rajdhani Express train going from Ahmedabad to Delhi was stopped for 20 minutes. Jigneshbhai Mevani and 18 men and 13 women were with him. When R. P. F. Sangtadevi, a female employee, stopped these people, these people pushed her. So R. P. F. and G. R. P. staff arrested all 18 men and 13 women

taken to the R. P. F. office. Where legal action was taken against them. Statement of witness recorded. She could recognize some of the people who stopped the train. It's been a long time. She can identify Jigneshbhai Mevani, he is present in the court.

Towards this witness Accused V. V. Mr. Ghwarain cross-examination stated that, on 11/01/17 Hours- 14.00 to 22.00 she was present on duty above Gate no. - 4 in her station duty to keep an eye on the passengers passing through the gate, to stop any suspicious activity, if any such activity is detected, to take the help of the accompanying police personnel to stop such activity. Her duty was above on gate No. - 4 Hours 14.00 to 20.00. Throughout this time she has denied that she had gone to any other place to gate No. - 4 and stated that at 17.45 hours of the incident, Called by the R. P. F. office. Gate no. - 4 it takes 5 to 10 minutes to reach the office by walking. Stayed in R. P. F. office till 20.00 Hours. After completing her duty at 20.00 Hours, she was going to her home. Witness did not get a chance to go to her office while Witness appeared for duty the next day. Also no suspicious person passed by during her presence from Gate no. - 4.

Ahmedabad railway station has a total of 12 platforms. If you want to go from one platform to another,

you have to cross a wooden bridge. Thousands of trains pass through Ahmedabad railway station every day. Thousands of people pass through all the platforms and the platforms are crowded with people. She has not been to any other place during the time she was in R. P. F. office gate No. - 4 hours to 20.00. Both the R. P. F. office and Ahmedabad Railway Police Station are separate places. It takes 5 to 10 minutes to reach to the R. P. F. office and Ahmedabad Railway Police Station. He has denied knowing Jignesh Mevani through social media before the current incident.

No identification paraded has been taken in her presence at R. P. F. office that this is Jignesh Mevani and her statement verified by taken at the R. P. F. office. In response to the question whether she typed the statement herself or someone else, she stated that she had to speak and the other person typed. After finishing work 20.00 hours went to file her statement. It took about fifteen to twenty minutes to record the statement. No one else was present at the time of recording her statement. Witness has voluntarily stated that the statement was recorded and was her Superior. At that time her superior was sitting in his chamber.

A question has been asked about the contradictions during the evidence of witness. Which is denied by witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(14) Prosecution No. 202 From witness Vijaysingh Mansingh in his evidence on oath stated that, in the year 2017 he was working as A. S. I. in the Surveillance Squad in Ahmedabad Railway Police Station. At that time 17.45 hours on 11/01/17 The Rajdhani Express train was stopped above platform no. - 10. This train was stopped by Jigneshbhai Mevani and his men. Twenty minutes late train. People climbed on the engine of the Rajdhani Express train and people slept on the railway tracks. Jignesh Mevani's Men and women of assaulted on R. P. F. female Sangitaben. Explained all these people but they did not understand. Brought to the R. P. F. Police Station. G. R. P. F. and R. P. F. men were present at that time. About 18 men and 13 women were among these people. After being brought to the police station, legal action was taken. His statement recorded. He states that he can recognize Jignesh Mevani by sight.

This is evidenced by Defense V. V. Mr. Ghwara stated in his cross-examination that he was working in

Ahmedabad Railway Police Station for about 6 years when the present incident took place. As A. S. I. their duty is to detect all crimes, to ensure that crimes are not committed, as well as work has to be done as per the instructions of P. I. Sir. On the day of the incident his duty time was from 08:00 to 20:00. On this day, they arrested a total of four people under Section 109. The four people they arrested were not accused of this crime. They have to file a complaint against the four persons who have been arrested under Section 109, make a Panchnama, proceed with the arrest and report to the officer-in-charge. They filed different-different crimes against these four persons. The four suspects they arrested have to be kept in their custody till they are produced in court. Witness has voluntarily stated that the procedure of these four was completed in two to three hours.

On this day his duty was platform No. - 1 was in the Surveillance office. The get call from P. I. sir, All the people are gathered on platform No. - 10, they try to stop the train, they go and see. It takes about five minutes to go to Platform No. - 1 to platform No. - 10. When he was on duty, a total of 12 platforms arrived in Ahmedabad railway station. Many trains pass through this platform during the day and thousands of passengers move every hour. Also on normal days all the

platforms are full of people. He has denied that he himself has no information about which train arrives on which platform and at what time.

When he received the call of the P.I. Sir, at 17:30 hours, he reached above platform No. - 10. When he arrived there will be around 100 people of G. R. P. F. and R. P. F. They are stayed on platform no. - 10 for about half to half an hour and then went to the G. R. P. Police Station. Someone like this Jignesh Mevani in his presence it is denied that the identity was paraded or verified. G. R. P. police station itself did not make any inquiry about the accused. He could not say exactly what date and time his statement was taken. When his statement was recorded, statements of other police personnel were taken. They cannot say whose statements were taken at that time. It took about half an hour to write his statement. They regularly read the Newspapers, and also come to know Jignesh Mevani every now and then, about Jignesh Mevani giving written petitions to the government regarding the pending issues of the backward sections of the society, women, laborers etc. Apart from this they also know. He knew Jignesh Mevani before the present incident.

A question has been asked about the contradictions during the evidence of witness. Which is denied by witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(15) Prosecution No. 207 From witness Dashrathsingh Lalubha Gadhvi in his evidence on oath states that, he was present on his Surveillance duty on 11/07/17. After receiving the order of the superior and the police station officials, group of 30 people like women and men over platform No. - 10 sat in front of the Rajdhani Express train and did not allow the train to move forward, so that they and the police personnel with them went there and what happened next, as well as there is currently R. P. F. men are present who assist them further to report to their superior. Hence witness went to the scene of the incident on platform No. - 10. When they went to the place they had made, there was a crowd of men and women sitting in front of the engine of the Rajdhani Express train. He then reached there by the order of his superior and persuaded those people to get up from the railway tracks so that the train could move or else legal action will be taken against them R. P. F. as per the order of their superior. He does not know any other facts about

this incident. His statement recorded. He does not know if there is a nominal leader among the men and women who were in this crowd. He does not know anyone from this crowd.

This is evidenced by Defense V. V. Mr. Ghwara in his cross-examination states that he knows every gate and check post in Kalupur Railway Station. To come into Kalupur railway station a there is any Police checking on the doors coming from platform No. - 1 and from Saraspur, witness has voluntarily stated that there is no checking towards Saraspur. When this incident happened, were there any officers present at the gate towards Saraspur for checking? He cannot say that. His duty is above platform No. - 1. On the day of this incident, his duty was from 08.00 am to 20.00 am. On the day of this incident, he was present in his Surveillance office from 16.00 hours.

They have denied that they were informed by their officers at 16.00hours. He was informed around 17.00 hours that if any such untoward incident happens, he should call R. P. F. Dispatch the train on time in co-ordination with them. In regard to which they informs



them. When he was informed about this, his A. S. I. Bhimsinghbhai and other staff members were present. He does not currently remember the names of others who were present. He has denied that he went to the place immediately after he came to know at 17:00 hours. After he came to know at 17:00 hours from his mobile platform No working in the surveillance department from Platform No.-01 to 12, the employees were called to the office and reached the designated place in about half an hour.

In the surveillance department, his duties include prevention of crime and detention etc. His statement did not mention the names or addresses of any of the crowd leaders. He himself does not know under which section the police acted. His statement was taken the day after the incident. When his statement was taken the next day, he did not know who the other policemen were because he was going to his duty after writing his statement. He could not say at present the exact time at which his statement was taken, but it was taken after eleven o'clock. His statement taken by the writer at the behest of his station in-charge Mr. H. C. Rathwa. He cannot name the writer. No one else was present except him and the writer when his statement was recorded.

Many trains pass through Kalupur railway station during the day. Also, there are many passengers moving on all the platforms, and they don't know which train will arrive on which platform. A question has been asked about the contradictions during the evidence of witness. Of this testimony during the evidence, they have put negative and accusatory questions to the accused, which witness has denied.

(16) Prosecution No. 212 From witness Ilaben Bhimabhai Khodiya in her evidence on oath stated that in the year 2017, On 11/01/17 witness was present in the account office on her duty. While on duty, she was verbally informed by her superior that platform No. - 10 on the Rajdhani Express train so that she was told to be present there. So she from account office went to above platform No. - 10. The train was stopped there. On platform No. - 10 Rajdhani train was stopped. There were 17 men and 13 women along with Jignesh Mevani in this train. These people were protesting on the train tracks by removing women's sarees. These people were also raising slogans. Hence R. P. F. and G. R. P. F. Staff men were present there. After trying to stop them, they taken to the R. P. F. office. They were interrogated there. A crime was filed in G. R. P. after her statement recorded. She cannot

recognize Jignesh Mevani by sight. Can't remember a particular face.

This witness in his cross-examination on behalf of the accused stated that in the year 2017, she was working as an account branch in the railways. Witness has work related to tumar work to policeman in accounts bank and has to create all kinds of bills. Apart from this she does not have to do any other work. Her account branch has a shift of 14:00 hour to 20:00 hour on 11/01/17. She was accompanied by 4 other employees, whose name is Ranmalbhai, the name of the second employee she does not remember now. She was accompanied by another Geetaben. The office of the Accounts branch is located on platform No. - 12. Coming from platform No. - 12 to platform No. - 10 takes approximately 10 minutes. She was instructed to go to platform No. - 10 at 18:00 Hour order by P. S. O., Both P. S. O. office and account branch are separate offices. She has not called from the P. S. O. office, but showed up again and again. She was informed by phone.

She went alone at platform No. - 10. I don't remember the exact time she arrived, but it was around 18:10. Ahmedabad railway station has total 12 platforms. During the day every platform is crowded with people and

numerous trains are running. She does not know which train leaves from which platform. Police did not take action against 17 men and 13 women in her presence. Witness has voluntarily stated that they were taken to the R. P. F. office for questioning.

Witness has volunteered to deny that she was going to her house after her duty was over at 20.00 hours, then her statement was taken. Her statement was taken on dated 11/01/17 at 21:00 hours her P. I. Sir's Chamber. At the time of her statement apart from the P. I. sir and the writer, no one else was present. The writer only asked her name and address and wrote the statement himself that she denied. It took her about 30 minutes to write this statement

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(17) Prosecution No. 214 From witness Tejalben Umedbhai Khachar in her evidence on oath states that in the year

2017 she was working as a Woman Lok-Rakshak in Ahmedabad Railway Police Station. At that time on 11/01/17 at around 17.45 hours platform No. - 10, under the leadership of Jignesh Mevani, 18 men and 13 women slept on the tracks of some platforms and some people climbed on top of the train engine and ladies took off their sarees. These people boarded the engine of Rajdhani Express from Ahmedabad to Delhi. Then the R. P. F. employee Sangitadevi was attacked. Then R. P. F. And G. R. P. F. explained to those people but not understood by them. So that they took to the R. P. F. office. Where they were interrogated. Statement of witness recorded. Witness cannot recognize Jignesh Mevani by sight now and did not know him then either, but informed that this person is.

This is evidenced by Defense V. V. Mr. Ghwara in the cross-examination stated that her duty as a Woman Lok-Rakshak was station duty. In witness duty no one is undesirable on the platform she is assigned to duty care should be taken to avoid accidents. On the day of this incident her duty was platform No. - 1 above at gate no.-04. Witness went above on Platform No. - 10 by verbal order of P.I. Sir. This verbal order is not given in

presence. This order was given around 17.45 hours. His superiors can give orders, no one else can.

In the year 2017, Ahmedabad railway station has total 12 platforms. There are about 5 to 6 gates to go to this platform. If a large crowd enters this gate, the railway police was informed in advance. At each gate C. C. T. V. cameras are installed and his live telecast can be watched sitting in the Police Station witness does not know that. Witness has denied that the statement was made and that it was not written by anyone. This statement she made at Ahmedabad Railway Police Station in the chamber of P.I. Sir, P.I. Sir and given in the presence of their writers. Witness statement started at around 21.00 hours and ended at around 21.30 hours. No other statement was recorded during this period.

Under the leadership of Jignesh Mevani, men or women boarded the engine of the train or stopped the train on the railway track, some women took off their sarees and demonstrated or that someone attacked Sangita Devi, Witness has denied giving false testimony. During the evidence of this witness, she has asked

negative and accusatory questions to the accused which witness has denied.

(18) Prosecution No. 216 From witness Kalpanaben Shankarbhai Bodat in her evidence on oath stated that in the year 2017, she was working as Women Lok-Rakshak in Ahmedabad Railway Police Station. At that time on 11/01/17 around 17:40 hours some women and men stopped the Rajdhani Express train. The train was stopped. So witness Sir ordered to go up to platform No. - 10. So if witness went there, the train was stopped there. There were women and men. Jigneshbhai Mevani was the main person in stopping this train. Stop these women and men took them to R. P. F. office. Police recorded witness statement. She reveals that she knows Jignesh Mevani by sight.

This witness in the cross-examination on behalf of the Accused stated that her duty as Women Lok-Rakshak in Railway Police Station Gate no. - 1. Gate no. - 1 is the main gate leading to the Ahmedabad railway platform. Apart from her, other police personnel are also at this gate. Railway police personnel are also present at different gates. She did not name the officer who gave the order in her statement. Her total duty was one to one-and-a-half months when she worked on the railway platform. She was told by her superior that it was

Jignesh Mevani. Witness has voluntarily said that witness can identify by sight. Witness was on duty on Railway platform No. - 1, she does not know anything else. Witness went on 11/01/17 to file the statement. Witness statement recorded by her superior and writer around 21:00 hours. No other Woman Lok-Rakshak or police statement was recorded with her.

(19) Prosecution No. 217 From witness Puniben Oghdbhai Parmar in her evidence on oath stated that in the year 2017 she was working as a woman Lok-Rakshak in Ahmedabad Railway Police Station. On 11/01/17 at 17:45 hours on platform No. - 10 Rajdhani Express train from Ahmedabad to Delhi, Jignesh Mevani and other men climbed on the front of the engine and stopped the train. There were 18 men and 13 women in this group. After that, they caught them to the R. P. F. office took action. Her statement was recorded. She reveals that she knows Jignesh Mevani by sight.

In the cross-examination done on behalf of this witness, the accused stated that in the year 2017, she was working at the Ahmedabad Railway Police Station for one and a half months. Witness Station duty on platform



No. - 04, 05 was her duty. Witness has to perform duty on the Sadar platform till no other orders are given. No written order was given to witness by name to go above platform No. - 10. Witness has voluntarily stated that this suggestion was given to by her superior officer P. I H. C. Rathwa Sir. This order given to her by her superior P.I H. C. Rathwa Sir on platform No. - 4 and 5 above mentioned hours around 17:35 to 17:40.

Thousands and millions of people move daily on these platforms, as well as trains. Even when this train arrives and departs, there is a crowd of people. Did she herself count 18 men and 13 women? She doesn't remember that now. She is denied that to have shot a video on her mobile about one such incident. Witness has been denied that it has not gone above platform No. - 10. To a question about knowing Jigneshbhai Mevani as he is a Dalit leader and frequent in print and TV media, she said, she knows him. She knows Jigneshbhai before this incident.

Witness statement written at the behest of her superiors, denied the presence of Jigneshbhai Mevani. She did not take any photos or videos that Jignesh

Mevani was present. While other suggestive questions put to her in reverse, she has given answers in denial.

(20) Prosecution No. 223 From witness Mamtaben Vallabhbhai Chauhan in her evidence on oath stated that in the year 2017, she was working as a Woman Lok-Rakshak in Ahmedabad Railway Police Station. On 11/01/17 Ahmedabad Railway Station platform No. - 10 on the Rajdhani Express train going from Ahmedabad to Delhi at 17:45 hours, under the leadership of Jignesh Mevani, 18 male accused and 13 female accused formed a group of illegals and entered the railway limits illegally and slept on the track in front of the engine of the Rajdhani Express train of Ahmedabad railway station for 20 minutes. By holding back until R. P. F. and G. R. P. F. men tried to stop the agitators, but they failed. So in the police station here, the crime has been declared on 11/1/17 at 20:15 hours. Her statement recorded. She reveals that she knows Jignesh Mevani by sight.

In the cross-examination on behalf of the accused, the witness stated that the duty of the witness was station duty at Gate No. - 4. Along with witness, another Railway Police employee at Gate No. - 4 and C.

R. P. F. and R. P. F. and G. R. P. F. and there are Home Guard and Railway Authority men. On the day of this incident, witness duty period was from 14:00 to 20:00. Witness duty at Gate No. - 4 is the assigned duty on that day, and if witness has to go for duty from Gate No. - 4 to any other place, witness superior should order witness in writing. Witness has voluntarily stated that on that day of incident a verbal order was given to witness. It is not written in her police face-to-face statement how and where on which day her superior officer verbally ordered her.

There are other gates to enter the railway station. If a mob enters illegally at any gate, the police will stop them. In this way, if someone enters illegally, he will also be complained. Ahmedabad railway station has numerous trains throughout the day and night. Thousands and millions of people also move in it. Witness does not know the time of every train that comes and goes. Documentary evidence showing that witness was present on duty at Gate No. - 04 at the time of incident was not produced at the time of statement. It takes about 10 minutes to go from Gate No. - 04 to Platform No. - 10. The numbers of which bogie will stand

at which place are written on the Ahmedabad railway platform.

The Complainant denied that the police knew the name and address of witness and had recorded the false statement of witness. These are 18 men and 13 women she has not verified and calculated herself. Witness stayed at Gate No. - 04 for the whole day and witness did not see any facts but denied to tell in the inquiry on the request of her superior officer. Witness herself did not do any videography or photography regarding the incident. She stayed at the incident site from 17:45 to 18:30. She did not see if any other police personnel took videography or photography during this incident. First oral instruction to witness at 17:30 hours by her P. I. Sir gave over the phone. It is not mentioned in witness statement which bogie near she was, during this period.

As Jignesh Mevani is a Dalit leader and come from time to time is on TV and media, she denies knowing them. Witness denied testifying at the behest of his superiors. To write witness statement she went to P. I. sir's office around 21:30. It took about 15 to 20 minutes to write witness statement. Denying that she was speaking while giving the statement and witness statement was not written down, Witness has voluntarily

stated that she was speaking and P. I. sir's writer used to write. According to Witness, the writer wrote down all the facts in the paper.

On platform No. - 10, 18 male and 13 female accused illegally entered the Rajdhani Express train from Ahmedabad to Delhi at 17:45 under the leadership of Jignesh Mevani and climbed on the track in front of the engine of the Rajdhani Express train of the railway station and stopped the train for 20 minutes to create obstruction and R. P. F. and G. R. P. F. men have stopped them and that they are not believed to them and that people are telling false facts and Jignesh Mevani is repeatedly making representations about public issues against the government that the government has filed a false complaint against him and giving false testimony to support the complaint that the police is the complainant and witness who is her duty she has denied that she had gone anywhere other than the one mentioned at Gate No. - 4 and that the so-called incident did not take place.

(21) Prosecution No. 225 From witness Viswaben Batukrai Pandya in her evidence on oath of stated that in the year 2017, she was working as a Woman Lok-Rakshak in the Ahmedabad Railway Police. On 11/1/17 at 17:45 in the evening, the Rajdhani Express train was stopped. This

train stopped by Jignesh Mevani. This train stopped for twenty minutes. Apart from that, there were 18 males and 13 females. These people also tried to stop the train. Catching them all, taken to the R. P. F. office. Statement of witness recorded. Witness cannot recognize Jignesh Mevani by sight.

In this witness Accused V. V. Mr. Ghwara Sadar states in the cross-examination of witness that witness should good write her statement in her Railway G. R. P. F. The police station is late at night. Can't remember the exact time. Around fifteen to twenty women policemen were present to record the statement along with witness. At the time of this incident, witness was working from 26/11/16 in Railway Police. This was witness first job of duty. Witness station duty given above platform No. - 2 and 3. Witness statement asking her superiors and telling her and someone made as if writing by hand. Witness during his duty it is denied that she left Platform No. - 2 and 3 and did not go anywhere. It is not written in witness police statement that she had gone to platform No. - 10 on the day of the incident. While other suggestive questions put to her in reverse, she has given answers in denial.

(22) Prosecution No. - 226 From witness Gitaben Bababhai Khambhala in her evidence on oath stated that in the year 2017, she was working as Woman Lok-Rakshak in Ahmedabad Railway Police Station, when on 11/1/17 at 17:45 hours Rajdhani Express Train ready to go on Platform No. - 10, Jignesh Mevani and 30 people with him sat on the train engine and some slept on the railway tracks. Among these 30 people, 18 were men and 13 were women. This train was stopped for 20 minutes. Then those people assaulted on R. P. F. female musician Sangitadevi Saroj. After knowing that witness was present there, they helped to catch witness. Then took people to the R. P. F. office of after some time, Witness was called to take a statement. Witness statement was recorded. Witness says that she can recognize Jignesh Mevani by sight.

In the cross-examination on behalf of the accused, witness states that at the time of this incident, witness was on duty in the account branch of the Railway Police from 14:00 to 20:00. Witness went after 21:00 hours to file his statement. Witness spent approximately two to three hours giving the statement. Around twenty minutes, witness is writing her statement and the writer is writing. Witness read her statement as recorded. From witness Account Branch it is also not written in the statement that they went above platform

No. - 10 and also which superior officer give ordered from the account branch to go to platform No.- 10 it is admitted not to have been said to have been written. At the time of this incident, witness was serving in the Railway Police for two to three months.

Ahmedabad railway station has a daily movement of many trains and millions of people. Each platform shows which Bogie coach of the train will stand where. Witness was above platform No. - 10, she said that she did not know exactly where she was standing, she said that Witness was standing near the engine. Witness stayed at this place for three hours from around five o'clock to eight o'clock. During this time, Witness did not shoot any video with her mobile. Witness knows Jignesh Mevani since she saw him during the incident.

At the time of this incident there will be approximately fifty to hundred people above platform No. - 10. About 50 of these people were police personnel. During the witness duty, never visited the R. P. F. office before. She visited during this incident. It has been denied that she did not leave the account branch on the day of the incident and that the statement of witness was recorded by writing the name and address of witness, who is working in Railway Police. At the time of this incident witness do not identify any R. P. F. employee by



name. While other suggestive questions put to her in reverse, she has given answers in denial.

A question has been asked about the contradictions during the evidence of Witness. During the evidence of this Witness, she has asked negative and accusatory questions to the accused which Witness has denied.

(23) Prosecution No. 227 From witness Dhiriben Nathabhai in her evidence on oath stated that in the year 2017, At that time on 11/1/17 when witness job was from 14:00 to 20:00 at above platform No. – 2, 3. During the time when the Rajdhani Express train going to Delhi on platform No. – 10 was scheduled to depart at 17:45 hours, Jignesh Mevani along with 18 men and 13 women with him illegally entered the railway premises for their government demands, climbed on the train engine and some people sat on the tracks. The sisters protested by slipping the pallu of their saree. G. R. P. and R. P. F. police men tried to convince them, but they R. P. F. Sangitaben Saroj was injured. After that all men including Jignesh Mevani took them to the R. P. F. office legal action against them. Statement of Witness recorded. Witness is said to be able to recognize Jignesh Mevani by sight.

In the cross-examination on behalf of the accused, Witness said that witness went to the police station after about 21:00 hours to write her statement. During the completion of Witness statement, she stayed there for about two to two and a half hours. Witness statement is not made as Witness speaks and is written by someone's hand. Witness statement recorded in the computer by the writer in the presence of her Rathwa Sir. Witness statement recorded by Writer Vanzara Sir. Witness in her statement said that at the time of the incident, it has been admitted that it was not written as she was gone to platform No. - 10. At Ahmedabad Railway Station day and night sees the movement of innumerable trains and the movement of millions of people.

If witness is on duty and has to go to another duty from there, she has to be given a written order or shift. If any written order is given to witness, witness should write in her statement who gave the order. Witness herself did not confirm what time the Rajdhani train was scheduled to depart on the day of the incident. Also, witness herself did not count 18 men and 13 women. Witness has denied that she did not identify Jignesh Mevani and all the other accusers by herself and stated that witness had identified the names and addresses of these people around 20:15 before the crime

was registered. After verification by witness, the names of 18 men and 13 women and Jignesh Mevani were written in witness statement. No other action was taken during this period. Witness was told by his superior officer that this is Jignesh Mevani and in response to the question that a case is to be registered against him, witness voluntarily stated that witness brought them from there so action was taken.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, she has asked negative and accusatory questions to the accused which witness has denied.

(24) Prosecution No. - 228 From witness Parvatiben Hirabhai Bharwad in her evidence on oath stated that in the year 2017, witness was working as Woman Lok-Rakshak in Ahmedabad Railway Police Station. Jigneshbhai Mevani protested on 11/1/17. Rajdhani train Stopped at 17:45 hours on platform No. - 10. He was accompanied by another total of 18 men and 13 women. This train stopped for 15 to 20 minutes. Apart from that, these people attempted to assault a R. P. F. female employee of after that, those people were convince but did not believe, so taken to the R. P. F. office. A case has been filed against him there. Statement of witness

recorded. Witness says she can recognize Jigneshbhai Mevani by sight.

In the cross-examination on behalf of the accused, the witness states that at the time of the incident, the witness used to perform duties above platform No. - 1. There are 3 gates to go up platform No. - 1. On each of these gates, railway police personnel and R. P. F. men and railway employees have continuous duty. No written order was given to witness, but a verbal order. Witness received a call on the mobile phone and was given a verbal order around 17:00. Witness stated that she does not remember who came with them from the above mentioned staff. Witness voluntarily stated that many people came with witness. Witness herself did not verify the identity of Jigneshbhai Mevani, but witness came to know because she went there.

It is said that there is a lot of crowd of passengers at the time of departure of the Rajdhani train, but not so much. Witness got the call after 5 to 7 minutes to reached above platform No. - 10. If a person commits a misdemeanor in Witness presence, Witness should try to stop him and explain it. Witness has denied that she did not explain anything to anyone in the incident place. If anything has happened regarding this incident, Witness should write in his statement. Witness

gave her statement in the police station at around 20:00 hour. It took twenty minutes to half an hour to record witness statement. She denied having checked the numbers of men and women herself. If the witness has verified it herself, then the witness should write the names of all the witnesses in the statement. Witness has denied that her statement was wrongly recorded by Witness superior while she was employed in the Railway Police.

How many people were on platform No. - 10 at this time, Witness could not say for sure. Jignesh Mevani, who has been repeatedly presenting public issues against the government, has denied that Witness sir has falsely implicated the accused and written the wrong name and that the complainant is her sir, giving false testimony to support his complaint.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, she has asked negative and accusatory questions to the accused which witness has denied.

(25) Prosecution No. - 230 From witness Bhavnaben Pravinbhai Patelia in her evidence on oath stated that in

the year 2017, she was working as Woman Lok-Rakshak in Ahmedabad Railway Police Station. Dated in the year 2017. On 11/1/17, a group of women and men gathered in front of the Rajdhani Express train engine on platform No. - 10 at Ahmedabad Railway Station at around 17:45. There were about 13 women and 18 men in this group. They protested by removing sarees to stop the train and some people climbed on the engine. The leader of these people as Jigneshbhai Mevani. So this train is late by about 20 minutes. At first these people were explained but they did not believe. They were taken to the R. P. F. office and a complaint was filed against them there. The police have recorded the witness statement. Witness says that she can recognize Jignesh Mevani by sight.

This witness in cross-examination for the accused stated that, at the time of this incident, she was working as Office Guard in the Ahmedabad Railway Police Station. In writing if they are to be sent from one place to another in answer to a question which may be ordered to be stated, be it in writing and can be verbal too. The day of the incident to write her statement gone at approximately 21:00. The procedure for writing a statement is approximately 20 - 25 lasted about a minute. Another while witness statement is being

recorded no one's statement is meant to be recorded. Duty as office guard were playing and if witness had to go to platform No. - 10, the statement in answer to the question that it is true to write in, states that she has written. On the day of the incident, she was working as an office guard and not on duty anywhere else denied not being served. Witness is working in Railway Police False statement by superior officer by writing down their name and buckle number Jignesh Mevani is a social leader of the Government at the behest of the government, they are making frequent representations about the issues of the people against them support to those who have filed a false police complaint and are police complainants denied giving false testimony. To this witness, their Asked about the contradictions during the evidence.

(26) Prosecution No. - 231 From witness Rasikaben Dhirajibhai Pandav in her evidence on oath stated that in the year 2017, she was working as a Woman Lok-Rakshak in Ahmedabad Railway Police Station. Then in the year 2017 on 11/1/17, Jignesh Mevani and many other people entered the Ahmedabad railway station illegally and protested against the Government. They stopped the Rajdhani train for 20 minutes. The train was on platform No. - 10, the time was 17:45. There were

women and men in which 13 women and 18 men have been charged. Witness says that she can recognize Jignesh Mevani by sight.

In the cross-examination made on behalf of the accused, this witness stated that at the time of the incident, her job was on Platform No. - 1 from 14:00 to 20:00. In which any illegal activity like theft was to be taken care of. She could not say what time the Rajdhani train departure on the day of the incident. If she is not able to say exactly what time the train departure, she cannot tell whether the train departure on time or late. Witness did not identify any of the 13 women and 18 men herself, similarly she did not do any verification by counting 13 women and 18 men herself. Witness went around 21:00 to write her statement and stayed for about half an hour. During this period, no one else's statement was recorded except her statement.

No video or photography of the incident was taken from witness mobile phone. Witness statement to the police does not say on whose order to Platform No. - 10. In the police statement of witness, it is not written that she went to Platform No. - 10 from his duty at Platform No. - 10. The names of the accused are not written in the witness statement, but written by her superior himself. A large number of trains are at



Ahmedabad railway station and millions of passengers are also plying.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, she has asked negative and accusatory questions to the accused which witness has denied.

(27) Prosecution No. - 233 From witness Nehaben Vajsibhai in her evidence on oath stated that in the year 2017, she was working as Woman Lok-Rakshak in Ahmedabad Railway Police Station. Then in the year 2017 on 11/1/17 her job was Crime Writer Help Hours – 14:00 to 20:00. Meanwhile, Jignesh Mevani, the leading leader of the Dalit community and his men, tried to stop the Rajdhani Express train from Ahmedabad to Delhi on Platform No.-10. This train was stopped for 20 minutes. There were 18 males and 13 females. Some of these people had climbed in front of the engine, some were lying on the tracks and some women were trying to undress. These people tried to stop the train illegally. R. P. F. and G. R. P. F. men gathered. During that time these people attacked the R. P. F. female policewomen Sangitadevi. Then these people R. P. F. and G. R. P. F. men caught and taken to the R. P. F. office. There, standard action was taken against them and witness statement was

recorded. She states that she can recognize Jignesh Mevani by sight.

In the cross-examination done on behalf of the accused, this witness stated that at the time of this incident, she was working at the Ahmedabad railway station for one and a half months. Witness place of duty was given a written order by her superior. No written order regarding such duty was given to the investigating officer while writing the witness statement. It is not stated in the statement which superior officer ordered witness to go to Platform No. - 10. During the one and a half month that witness was on duty she did not know any R. P. F. police personnel. Witness statement does not say that witness tried to stop the attack on Sangitadevi. Witness has denied having herself counted the number of 18 men and 13 women. If witness has calculated herself, then write all the names in her statement. There is no video or photography of the incident from witness mobile phone.

After this incident took place, it was ascertained when the train took off. She volunteered to stated that she did not meet any railway official to

inspect the train, but learned from the men that her next duty was. To write witness statement at approximately 21:00, she went to P. I. sir's chamber. She stayed there for about half an hour. While her statement was being written, no one else's statement was being written. During the arrival and departure of the train, the platform is very crowded with passengers. At this time, there is often pushing and shoving and the police also have to use force.

Indicators are also installed showing which Bogie of the train is standing where. Witness went to platform No. - 10 around 5:30 and after she went to Platform No. - 10 at half past five, they stayed till about 10:00. At half past five, went to the platform on the advice of her superior P. I. Sir. At half past four, the train was stopped by Jignesh Mevani and his men on platform no. 10, you go there. Jignesh Mevani was known to be a Dalit leader and a social leader. Jignesh Mevani used to make frequent submissions to the government regarding public issues and police grade pay.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, she has asked negative and accusatory questions to the accused which witness has denied.

(28) Prosecution No. - 234 From witness Kokilaben Rameshbhai Daranga in her evidence on oath stated that in the year 2017, she was working as Woman Lok-Rakshak in Ahmedabad Railway Police Station. During that time in the year 2017 Rioting took place on 11/1/17 under the leadership of Jignesh Mevani. The rioting took place on platform No. - 10 of the railway station. In this incident, 18 men and 13 women tried to stop the train on platform No. -10. This train was the Rajdhani Express train. A few men were standing in front of the train engine and a few tracks up. After that the women took off their clothes and staged a protest. Then R. P. F. and G. R. P. F. men stopped these people and took them to the police station. Witness statement recorded. Witness says that she can recognize Jignesh Mevani by sight.

In the cross-examination done on behalf of the accused, this witness stated that on 11 she was working on E-Gujcop in the duty office. Her work was done from 14:00 to 20:00 in E-Gujcop but on that day she stayed till late at the request of the superior officer. Witness has denied that there is a gang led by Jignesh Mevani and that she is writing on the instructions of his boss. While witness statement was recorded, no one else's statement was recorded.

Witness went back to the Police Station at 8:20 hours to register her statement. It took approximately ten to fifteen minutes to record their statement. Their statement is typed on the computer. When his statement was recorded, no one else's statement was recorded. A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, she has asked negative and accusatory questions to the accused which witness has denied.

(29) Prosecution No. - 236 From witness Kiran Kumar Dineshbhai Parmar in her evidence on oath stated that in the year 2017 she was working as Women Lok-Rakshak in Ahmedabad Railway Police Station. In the year 2017 on 11/1/17 Rajdhani Express train was stopped in which there was a crowd of 30 people. At that time her duty was on Platform No. - 10 and 11. There were 18 men and 13 women in this group. This train was stopped under the leadership of Jignesh Mevani. The train stopped for twenty minutes. She was on duty on platform No. - 10. They were at the back of the train. After they came to know that the train has stopped, they reached there. The police also came there and brought down those who were standing on the platform. They were brought to the platform standing on the tracks and taken

to the R. P. F. office. After that further action was taken and witness statement was recorded. She states that she can recognize Jignesh Mevani by sight.

This witness in the cross-examination for the accused stated that their duty varies. That day was her first day on platform No. - 10. Apart from her, Sunilbhai was present on platform No. - 10. Apart from her, the names of those who were present are not known. Witness was new and didn't know anyone else. Apart from this, it is not known how many others were present on platform No. - 10. Both witness and Sunilbhai were present at the behind part of the train. On the day of this incident, she does not remember the exact time at what time the Rajdhani Express train reached the platform. When the train took off, it was found that someone had stopped the train. They did not look at the time when they arrived. The proceedings were underway when they both arrived. Neither witness nor Sunilbhai knew under whose leadership this mob was. Apart from bringing these people to the platform, witness does not know anything else.

Witness herself counted 18 men and 13 women who went after eight o'clock to write witness statement. Witness herself did not verify the name of the

accused. In the statement of witness, no supporting evidence has been presented that witness was present on duty on Platform No. - 10. Witness knew Jigneshbhai Mevani as MLA. Saying that, witness voluntarily says that she did not know then but now she knows. There is no information about what time the train left.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(30) Prosecution No. - 237 From witness Sunilkumar Sureshbhai Rawal in his evidence on oath states that in the year 2017 he was working as Lok-Rakshak in Ahmedabad Railway Police Station. In the year 2017 on 11/1/17 he was working on Platform No. - 10 and 11 from 14:00 to 20:00. Rajdhani Express train arrived at Platform No. - 10 around 5:30. He was present on the rear end of the side train opposite to its engine. Then around 05:40 the train got the signal while suddenly the horn started blowing from the train. So, the engine side is seen on every coach. Then the engine when G. R. P. and R. P. F. Police men and women stopped the train on the track and tried to convince them to bring them to the

platform. Witness and his accompanying Lok-Rakshak Kiranbhai also joined in this operation and helped to convince the men and bring them on track. During that time Jignesh Mevani, present among the women and men, was chanting slogans about his demand against the government. Women police were seen scrambling to bring women from the tracks to the platform. All the people were brought to the platform with the help of the police in the presence of Police Inspector Mr. Rathwa Sir who counted the people in which there were 18 men and 13 women including Jignesh Mevani. At the time of the incident, the train departed approximately 20 minutes late. After derailing all these people, the train departed. All women and men brought to the R. P. F. police station and Police Inspector took legal action against them. Witness statement recorded. On that day, Witness work was completed at 20:00, but due to this incident, around ten o'clock at night, Police Inspector took his statement in front of the computer operator. He states that he can recognize Jignesh Mevani by sight.

In the investigation done on behalf of the accused, this witness states that there are two ways to go to Platform No. - 10. On these two ways, Railway Police, R. P. F. and the staff of railway employees are present.



Platform No. - 10 was the first day of duty. Apart from him, Kiranbhai was present above Platform No. - 10. Apart from that R. P. F. Police patrol staff men were present above Platform No. - 10. On the day of the incident, apart from witness and Kiranbhai, There was no R. P. F. employee duty above platform No. - 10. Another way to come to the platform is at a distance of 100 meters from the place where witness duty was.

The Rajdhani Express train and the Ashram Express that comes after it are very crowded. I did not go to the railway myself to know when to arrive Rajdhani Express Train Platform No. - 10 and when to leave. Rajdhani Express reaches the platform half an hour before it is scheduled to depart. On the day of the incident, it was not verified what time this train was coming and standing. There was no other police staff on platform No. - 10 except witness and one other. Witness volunteered stated that they were on edge and did not know who was ahead. Jigneshbhai was right in front of him and witness saw him. A train will not stop unless it knows that an obstacle has been created when the horn sounds. Witness knew that from time to time Jigneshbhai was presenting to the government about the issues of the people. If 18 men and 13 women including Jigneshbhai have been identified against witness, then witness should write their names.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(31) Prosecution No. - 239 From witness Krunal Vasudev Datania in his evidence on oath stated that he was working as Lok-Rakshak in Railway Police Station in the year 2017. On 11/01/2017 at 17.45 hours Ahmedabad Railway Station Platform No. - 10, 18 men and 13 women along with Jignesh Mevani at the front of the engine of the Rajdhani Express train from Ahmedabad to Delhi were able to stop the Rajdhani Express train from above. At the front of the engine, Jignesh Mevani was doing anti-government propaganda. This train was stopped for approximately 20 minutes. The train was not allowed to go ahead. During that time witness duty was between platform No. -10 and 11.

During that time, it was announced from the railway office that the Rajdhani train has been stopped and the horn is being sounded continuously. So when witness reached the front of Sadar train in the middle,

witness saw that R. P. F. Police personnel and G. R. P. F. A policeman tried to get Jignesh Mevani down from the engine of the Sadar train. Tried to lift men sleeping on railway tracks. They took Jignesh Mevani and other men from the railway track and take it to the R. P. F. Police Station and took legal action them. Statement of witness recorded. Witness statement recorded in the person of P.I. Rathwa Sir. Witness says that he can recognize Jignesh Mevani by sight.

In the cross-examination conducted by the accused, this witness states that two to three employees were present with him on the day of the incident. At the time of this incident, he was can't say which part of platform No. - 10 and 11 were present. On the day of the incident, they were on duty to ensure that no untoward incident took place while the dignitaries were traveling in the Rajdhani train. On the day of the incident, the train started at 17:00 platform and passenger hours are located in the middle section on Platform No. - 10 and 11. At this time, they do not remember which train was on platform No. - 11. Witness would come to know if a mob comes in front or behind the place where Witness was present on duty. Witness voluntarily said that when the Rajdhani train starts, there is a huge crowd of passengers. Ashram Express starts after departure of Rajdhani train. It gets very crowded. It is very crowded at

such times above Platform No. - 10. At such times, sometimes the police have to use force.

First of all Witness got the information about the incident when the announcement was made and a message also came from the police station. 5 to 7 minutes after the announcement they reached the front of the engine. Can't say exact time. It takes approximately 10 to 15 minutes to reach Platform No. - 10 from Railway Police Station. On the day of the incident, he could not say exactly what time the train departed. Witness voluntarily stated that it took off at 17:45. What was this crowd demanding and chanting? It is not written in the police statement. In case of any such incident, they will take witness and his staff are informed first at platform No. - 10. He states that he does not remember that it was written on the front of the engine that Jignesh Mevani was working.

To register witness statement went to the chamber of P.I Sir at around 10-45. Where his writer recorded witness statement in the presence of P.I. Sir. Witness statement was recorded at approximately 20 minutes. No other witness statement is recorded during this time. Witness do not remember the names of those who were on duty that day above platform No. - 10. Witness did not count 18 men and 13 women himself.

Among these accusers, witness himself has not verified his name. Witness has said that witness knows Jignesh Mevani. Witness lived in Shahpur in Ahmedabad since birth and currently lives in the police line. Witness was born in Shahpur and studied in Gandhinagar. Witness has known Jigneshbhai Mevani since he became an MLA. At the time of this incident, no identification of Jignesh Mevani was paraded in his presence. If 18 men and 13 women have been counted, witness said in answer to the question whether he should write the names in his statement, he has written all the names in the statement. At the time of this incident, he had been present for duty for approximately two months. You have to do what the superior officer says. No inquiry was made by going to the railway about what time the Ashram Express left.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(32) Prosecution No. - 241 From witness Khushbuben Bahadurbhai Babaria in her evidence on oath states that in the year 2017 she was working as Woman Lok-Rakshak at Gate No. - 4 in Ahmedabad Railway Police

Station. She was present on duty on 11/1/17. Their P.I. Sir told them that Jignesh Mevani and his men stopped the Rajdhani Express train on platform No. - 10 around 17:40 hours. Then there were some ladies and they were treated rudely by removing their sarees. Witness explained to those people that they continued their demand. After that they were taken to the R. P. F. office and crime has been registered against them. The crime announced at 20:15. After that, his job was over. Witness statement noted by the writer of P.I. Sir. He states that he can recognize Jignesh Mevani by sight.

In the cross-examination done on behalf of the accused, this witness stated that she was in the police department on Serving from 01/03/16. Her first posting was in Ahmedabad Railway Police Station. Her duty hours at Ahmedabad Railway Station were from 14:00 to 20:00. She will not go anywhere else from the place where her duty is assigned until her superiors give other orders. It is not written in the statement what time the witness P. I. sir informed. Along with witness, at platform No.-04, there was another lady constable and three home guard personnel. In which there were 1 lady and 2 gents. Whose names are not remembered now. While going up

the stairs P. I. Sir men told her. From Gate No. - 4 to Platform No.-10 going towards takes about 10 minutes.

Ahmedabad railway station has a total of 12 platforms. Numerous trains pass through each of these platforms daily and are packed with public even on normal days. When the train stops, there is jostling by the passengers. Witness statement written by the writer. At the time of witness statement, no other employee was present. Witness and the writer were present.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(33) Prosecution No. - 242 From witness Bijendrakumar Shri Hanumanprasad Chaube in his evidence on oath stated that in the year 2017 he was in Crime Branch as P. S. I. in Ahmedabad Railway Security and served. In the year 2017 on 11/1/17 at 17:35 hours it was announced that some outsiders had stopped Rajdhani Express Train No. - 12957 and were not allowing it to run. Some men were on the train and some men were on the engine. Then witness R. P. F. and G. R. P. staff went there, they

saw that Jignesh Mevani and 30 other people, including women, were making demands. Then this train was supposed to depart at 17:40 but these people did not allow it to depart so they were removed and the train departed at 18:00. These people taken to the R. P. F. station and incident of I. P. C. legal proceedings against them shall be taken to the G. R. P. office and take legal action against them. Witness statement recorded. He stated that he can recognize Jignesh Mevani by sight.

In cross-examination on behalf of the accused, this witness states that he has been working in the police department for 31 years. In the year 2017, he was working in Ahmedabad Railway Crime Branch for the last 1 year. In the year 2017, his post was as A. S. I. at that time, their duty is to prevent and investigate any type of crime. On 11/1/17 his duty was from 08:00 in the morning to 20:00. On the day of this incident, apart from the accused of this crime, no other accused of the crime was arrested. On 11/1/17 he was on duty in the railway station area. And their duty is not made to be at any particular place. On the day of the incident at 17:35 hours were above platform No.-4 and 5. It takes one to one and a half minutes to go from platform No. – 4 and 5



to platformNo. - 10. No other employees were with them on Platform No. - 4 and 5.

Witness came to know about this incident from the announcement. No official informed Witness. Ahmedabad railway station has a total of 11 or 12 platforms. Many trains arrive and depart from this platform. Even on normal days, this platform has a huge audience. They did not know which train would arrive and depart from which platform. They will be informed about this through the announcement. No identification parade of the Jigneshbhai Mevani was conducted in the presence of witness. Witness voluntarily stated that he knew him from the beginning. Witness knows Jignesh Mevani before the incident. On the day of this incident, he stayed at platform No. - 10 for about half an hour. He can't say exactly when their statement was recorded by Police. No other employee was present when witness statement was recorded. Witness St. 12 passed and studied in Hindi medium. So they cannot speak or read Gujarati language. His statement was written in Gujarati language. In response to the question that the statement was not read, it was stated that the statement was translated into Hindi and fully explained. On the day of this incident, the Rajdhani Express train was supposed to depart at 17:40 hours but on that day it departed at 18:00 hours.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which Witness has denied.

(34) Prosecution No. - 244 From witness Puransingh Prabhatsingh Rajput in his evidence on oath stated that in the year 2017 he was working as Head Constable in Ahmedabad Railway Police Station. In the year 2017 on 11/1/17 Rajdhani Express train, He had a job starting above platform No.-10. While he was walking there, it was announced that R. P. F. and G. R. P. reach above Platform No. - 10. So Witness looked up at the Rajdhani and went towards the engine. There the engine had Ladies and men's. Some were mounted on engines and some were sitting on tracks. In which there were 18 men and 13 women. These people are the R. P. F. and G. R. P. Sir explained and after some time driven to the R. P. F. office. The train was standing for about 20 minutes. The railway offense may have been committed there have been sent to G. R. P. office. Witness statement was recorded the next day. In which 18 men and 13 women they do not know the names.

In cross-examination on behalf of the accused, this witness stated that when the announcement was made, he was on the back side of platform No. - 10. Along with witness, Rajesh Kumar and Vissan Singh were present. They all came a few minutes after the train hit the back side of platform No.-10. It is their duty to have circled on platform No.-10. The witness has not written the names of any of the accused. As the train was standing for 20 minutes, he went to the railway department and did not check himself.

(35) Prosecution No. - 245 From witness Rajeshkumar Girishchandra Pandey in his evidence on oath states that in the year 2017 he was working as Head Constable in Ahmedabad Railway Police Station. Then in the year 2017 it was announced on 11/1/2017 around 05:40 in the evening that, R. P. F. and G. R. P. staff men said to go to Rajdhani Express train of platform No. - 10. The train was stopped by some people so that witness was present at the back of the Rajdhani Express train and after the announcement, he along with Puransingh and Bisansingh etc. went to the front of the train. When we went there, we saw that some people had boarded the train and some people were sitting on the train tracks. R. P. F. and G. R. P. men were persuading them but they

did not believe. So that there were 31 people who were taken to the R. P. F. Police station. These people taken to the R. P. F. Police station to G. R. P. thana. Then action was taken against them. Witness statement recorded on the next day. It is stated that they could recognize Jignesh Mevani among the people who stopped the train.

In the cross-examination conducted on behalf of the accused, this witness stated that he was working in the Railway Police Station for the last five and a half years till 2017. On 11/1/17 his duty was to be stopped crime from platform No. – 1 to 10. On 11/1/17, three employees were on duty to prevent crime. His duty was from 10:00 hour to 06:00 hour that day. On 11/1/17, all three of them were performing different duties at different places on the station. In the year 2017, it was announced on 11/1/17 around 05:40 in the evening that, It has been admitted that it was not written in the statement that "the R. P. F. and G. R. P. staff men were told to go to the Rajdhani Express train on platform No. -10." C. C. T. V. cameras were installed on the platform and on the access road.

The next day he went between 8:30 p.m. to write witness statement. On the next day when witness statement was recorded, witness denied that no accused was identified, witness voluntarily stated that the accused were identified while writing their statement in person.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(36) Prosecution No. - 249 From witness Vishank Bishansindhu Rathod in his evidence on oath stated that in the year 2017, he worked as Head Constable at Ahmedabad in R. P. F. crime branch. In the year 2017 on 11/1/17 Jignesh Mevani and his supporters stood in front of the Rajdhani Express train engine at Kalupur railway station and did not let the train go. Then these people boarded the engine and slept on the railway tracks. There were approximately 18 males and 13 females. There these people made a fuss and did not let the train go ahead and R. P. F. Women Constable

Sangeetadevi was assaulted while working. When witness was at the station, it was announced that R. P. F. and G. R. P. men of the police staff approached the engine on the train. Witness went there with 3 other police staff men. In which there were Head Constables Rajesh Pandey and Puransingh. Second Staff of G. R. P. was also present there. These people were shouting so that they were persuaded not to do so but they did not move from there. These people G. R. P. and R. P. F. men of the police staff gathered all the people first take them to R. P. F. and these people were interrogated and then they came to the office and their statement was recorded. He states that he can recognize Jignesh Mevani by sight.

In cross-examination on behalf of the accused, this witness stated that the police recorded his statement. He could not write Gujarati language but could read a little bit. If his name was written wrongly, he would inform the statement taker at the time of statement. Since 15 years in the year 2017, he has been working in Railway R. P. F. On 11/1/17 his duty was to prevent crime on all railway platforms. It is admitted that "when he was in the arrangement at the station, an announcement was made that R. P. F. and G. R. P. men of police staff went to the engine on the train". At the

time of the incident, he was on platform No. - 10 was present above from 17:00 hours. He went there and was accompanied by 3 other police staff men including Head Constable Rajesh Pandey and Puransingh" admittedly not written in the statement.

Witness was called the next day in the evening to record his statement. Witness was alone at the time of the statement. Others were sitting outside. After witnessing this incident, they did not call any other police officers. No such suspicious matter was reported to his superiors. In response to the question that if any such crowd comes, the first thing they would know is that they were standing behind the train and the incident took place in front of the train. Witness did not video record or photograph any incident related to the incident from his mobile phone. The tracks are approximately 3 feet below the platform. Everywhere on the platform R. P. F. and G. R. P. Police are standing. At the gate to come to the railway platform R. P. F. and G. R. P. Police are standing.

It took about 45 minutes to record witness statement. It is not written in his statement that the

statement was given in Hindi and the statement was written after translating it into Gujarati. No accused was present when his statement was recorded. Jignesh Mevani's identity parade was not conducted in the presence of witness. In reply to the question that none of the other accused were personally identified, they were shown photographs. They were shown photos of around 30 people. Witness did not write the names of any accusers. It is admitted that it is not written in the statement that "All the people were first taken to R.P.F. and then taken to G.R.P. Office". How many R.P.F. men present on duty they don't know.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(37) Prosecution No. - 255 From witness Rajivkumar Ramchandraprasad Sing in his evidence on oath stated that in the year 2017, he was serving as Assistant Station Master above Ahmedabad Kalupur Railway Station platform No. - 1. His duties include issuing



vigilance orders (necessary instructions) and any railway related messages in the office of Platform No. - 1. In the year 2017 on 11/1/17 at 17:40 hours, the people of Rajdhani Loco - Pilot P. C. Morwar informed on Walkie - Talkie that some men have boarded the engine and 20 to 25 men are standing in front of the track and not allowing the train to move. Such an instruction was received from Walkie - Talkie and noted and Send to R. P. F. and G. R. P. staff. The note is shown to this witness, identifying his signature and the seal of office and the number recorded. It has been presented since 256. Statement of witness recorded.

In the cross-examination done on behalf of accused this witness, it is stated that in the year 2017, 4 station masters were on duty at Ahmedabad Kalupur railway station in one shift. They do not remember how many station masters there were at Ahmedabad Kalupur railway station in the year 2017. Apart from witness, there were two other station masters on platform No. - 1. The walkie - talkie is not handy with the station master but is fixed in the office. Witness voluntarily said that if the station master goes out of the office, he carries the walkie-talkie with him. In railway trains, the driver, train guard and assistant driver have walkie - talkies. Witness

cannot say that In-track walkie - talkie connections are available at various locations in railway stations. Witness, being the station master, did not keep any personal diary.

The message letter presented in the Court was presented in the court for the first time. On 11/1/17 he wrote that he had not given any evidence to the police that he was on duty or not. Apart from witness, there are three other men in the office. A register is kept in his office regarding the vigilance orders given by witness in cross-examination. A register is kept in their office to record any untoward incident on the railway station platform or in the train. Witness has volunteered that this register is a register for recording messages. In this register they did not record from the inward register but from the outward register. The message that witness gets is the message paper above is written and pasted in the register. The message that witness receives is sent to him by writing it on paper for further action. The driver who messaged witness on walkie-talkie no statement was taken after questioning P. C. Morwar. Witness has station manager as head over railway station.

No train arrival and departure list on 11/1/17 witness was given to the investigating officer. Walkie - talkie messages go wherever there is a connection in the railways. Denying that no note was made in the register about the time of the walkie - talkie message, it has been stated that they have made it in the station diary / charge book. No such diary or charge book was produced at the time of his statement. No one knows the witness of the incident narrated in the cross-examination. In 2017, Station master used to sit on platform number 12 except platform No. - 1. If you want to come inside the platform in 2017, you can come to platform No. - 1 and platform No. - 12. In response to the question that a large number of people cannot come to the platform without a platform ticket, the ticket checker can tell this fact. It is not the case that if witness received the message, witness took the message and went to his superior.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which witness has denied.

(38) Prosecution No. - 258 From witness Jitendrabhai Ramdas Sharma in his evidence on oath stated that in the year 2017, he used worked as Manager in M.C. Shah's stall above platform No. - 10. In the year 2017, Witness does not know what happened on platform No. - 10. Witness did not know if a train stopped or anything else happened while they were doing their business. The police said that his statement was not recorded. Evidence of this work does not support the case of the complainant Very Special A. P. P. declared them to have gone again but did not corroborate the facts of the plaint despite asking leading questions. This witness in cross-examination for the accused stated that their names and addresses were known from their stalls in their absence.

(39) Prosecution No. - 259 From witness Manubha Tapubha Jhala in his evidence on oath stated that, in the year 2017 he was working as a stall vendor in the M. C. Shah Company above platform No. - 10. In the year 2017 he did not know that the Rajdhani Express train was stopped at platform No. - 10. The police said that his statement was not recorded. Evidence of this work does not support the case of the complainant Very Special A. P. P. declared them to have gone again but did not corroborate the facts of the plaint despite asking leading

questions. This witness in the cross-examination for the accused stated that his name and address were known in his absence from his stall.

(40) Prosecution No. - 260 From witness Dineshbhai Rajendrababu Jhala in his evidence on oath stated that, in the year 2017 on worked as a stall vendor in J. G. & Company. In the year 2017 witness has no information about stopping the Rajdhani Express train at platform No. - 10 and the police said that his statement has not been recorded. Evidence of this work does not support the case of the complainant Very Special A. P. P. declared them to have gone again but did not corroborate the facts of the plaint despite asking leading questions. This witness in his cross-examination for the accused stated that in his absence, his name and address be known from his stall.

(41) Prosecution No. 264 From witness Sanjiv Dayaram Pandey in his evidence on oath stated that, in the year 2017 Worked as a stall vendor in J. G. & Company above Platform No. - 10. In the year 2017 he has no idea that the Rajdhani Express train has stopped at Platform No.- 10. The police said that his statement was not recorded.

Evidence of this work does not support the case of the complainant V. Special A. P. P. declared him to have gone again but did not corroborate the facts of the plaint despite asking leading questions. This witness in the cross-examination for the accused states that his name and address were known in his absence from his stall.

(42) Prosecution No. - 269 From witness Shivlal Gopilal Jogi in his evidence on oath stated that, in the year 2017 he was working as Porter at the railway station. In the year 2017 he has no idea that the Rajdhani Express train has stopped at platform No. - 10. The police said that his statement was not recorded. Evidence of this work does not support the case of the complainant V. Special A. P. P. declared him to have gone again but did not corroborate the facts of the plaint despite asking leading questions. In the cross-examination on behalf of the accused, this witness states that the police did not ask anything other than his name and address.

(43) Prosecution No. 269 From witness Iqbal Shakeelahmed Ghachi in his evidence on oath stated that, in the year 2017 he was working as a Porter at the railway station. In the year 2017, he has no idea that the Rajdhani Express train has stopped at platform No. - 10. The

police said that his statement was not recorded. Evidence of this work does not support the case of the complainant V. Special A. P. P. declared him to have gone again but did not corroborate the facts of the plaint despite asking leading questions. In the cross-examination on behalf of the accused, this witness states that the police did not ask anything other than his name and address.

(44) Prosecution No. - 273 From witness Ramsingh Khiladi Jogi in his evidence on oath stated that, in the year 2017 he was working as Porter at the railway station. In the year 2017, he has no idea that the Rajdhani Express train has stopped at platform No. - 10. The police said that his statement was not recorded. Evidence of this work does not support the case of the complainant V. Special A. P. P. declared him to have gone again but did not corroborate the facts of the plaint despite asking leading questions. In cross-examination on behalf of the accused, this witness states that the police did not ask anything other than his name and address.

(45) Prosecution No-276 From witness Prakashchandra Puranchand Morwa in his evidence on oath stated that, in the year 2017 he was working as Loco Pilot in Mail

Express. In the year 2017 on 11/1/17 he came to Ahmedabad by taking Suvarna Jayanti Rajdhani Express from Abu - Road. He rested and was ready to take Train No: 12957 at 17:40 from Ahmedabad to Abu - Road as per the link. Along with him were his driver Mr. Bhimsingh Bamaniya, Loco Pilot Mail Express and Train Guard (whose current title is Train Manager) Mr. M. I. Hasmi Head Quarter Headquarters - Ajmer was with him. At 17:40 hours they got the signal to pick up the train and they whistled and the guard showed the green flag. Then witness train twenty to twenty five meters away on the railway track looking forward to run ahead there were around 25 to 30 men and women. Some of them were sitting on the tracks and some were standing and some were shouting slogans. So he immediately informed Deputy S. S. Ahmedabad and also informed train guard on walkie-talkie. Soon after Deputy S. S. Ahmedabad, R. P. F. Inspector and his staff, G. R. P. Inspector and his staff came to the train. Who interacted with the protestors and removed them. After that, as the track became empty, Deputy S. S. Ahmedabad, R. P. F. and G. R. P. staff cleared the track and allowed the train to run. So witness blew the whistle and got the green signal from the guard and drove the train ahead. Their train left at 18:00 hours. Their train is 20 minutes late. Police took his statement. This statement taken at Ahmedabad Kru -



Lobby on 23/1/17. This incident Built on platform No. - 10.

This witness in cross-examination on behalf of Accused No. 1 states that, after 11/1/17 he used to come to Ahmedabad every fourth day. In this regard they have not made any complaint in writing. His department has not taken his statement about the train being late. A register was kept to record any such incident in the train. No such register was given to the police by witness. The train is installed on the platform half an hour before the departure of the train. The witness could not say what time the train was brought to the platform on the day of the incident. Witness came on duty from his running room half an hour earlier. Witness reached the train at around 17:20 hours. Witness did not see any people coming down from the platform onto the track.

“In the year 2017 on 11/1/17 he came to Ahmedabad by taking Suvarna Jayanti Rajdhani Express from Abu - Road. They were ready to take train no: 12957 from Ahmedabad to Abu - Road at 17:40 hours as per the link as per the rules" and "at 17:40 hours they got the signal to pick up the train and they whistled and

the guard showed the green signal". Admittedly not written in the statement.

Witness was not given summons or notice to write his statement. There is Punctuality Control Office for timing of trains. Ahmedabad Office located in the D. R. M. office. The hourly movement of trains is managed by this department. Witness has not reported any days in this section. No report was given at the time of statement to the police that he and his driver were at work on 11/1/17. Witness said that there is no rule to give this because they are appointed to run this train. Only the Punctuality Control Office cell can show whether the train ran on time or not, delayed. Witness Ku - Lobby Ahmedabad it is on Platform No. - 1. At the time of the police statement, Police Inspector G. J. Chowdhury and was a writer. People from his department did not come with him from Ku - lobby at the time of statement. His statement was taken around ten to half past ten in the morning.

On 23 he could tell what time his duty started by looking at the Log-Book. Who was with them that day? – he can tell who the Co. - Driver and train guard were

by looking at the on Log-Book. Even on 23, no notice was received from the police. Witness has said that before 23, he received a phone call about when he is going to come to Ahmedabad to give a statement. Be on duty if there is any work other than that, they have to take the permission of the superior officer. The permission of his superior officer was not taken regarding giving the statement dated 23. Witness has denied that there was any question at the time of recording the statement and that it was not made as written by witness.

A question has been asked about the contradictions during the evidence of witness. During the evidence of this witness, he has asked negative and accusatory questions to the accused which has denied.

In the cross-examination of this witness as per the cross-examination of accused No. - 2 to 5 and 7 to 18 and 20, 22, 25, 26 and 28 to 31 towards and No. - 19, 21, 23, 24, 27 towards accused No. - 1 towards cross-examination about cross-examination. It is submitted for consideration.

(46) Prosecution No. - 435 From witness Bhimsinh Punabhai Bamaniya in his evidence on oath stated that, in the year 2017 he was working as Driver of Rajdhani train in Abu - Road railway station. In the year 2017, he on the morning of 11/1/17, he was coming from Abu - Road to Ahmedabad at 06:40 hours. Ahmedabad his train arrived at 09:40 and he came with train number - 12958. At around 17:40 in the evening they had to go from Ahmedabad to Abu - Road with Prakashchandra Morwa as driver and Witness as assistant driver. As guard M.I. Hashmi was. In the evening, their time to leave was 5:40. He came from the running room to the lobby at 5:10. Their on duty occurs above platform No. - 1 hour 5:10 they are on duty. When they go from number one to number 10, they have to charge the train.

It takes him 10 minutes to go from number one to number 10. At 5:20 he reached the engine and took charged the engine and checked the oil water. After seeing the oil water they checked the pressure of the train which was normal and the there signed after receiving the certificate that the train is OK by T. X. R. sir. One copy of this certificate is given to him and one is retained by them. After the train was OK, he looked at the clock and it was scheduled to leave at 17.40 and the

signal was also received by the Station Master. Then they blew the whistle. After blowing the whistle, before taking the guard's all right before the train left, 25 to 30 men in which the line of ladies came forward and stood and some lay down and some climbed on top of the engine. Seeing this Prakashchandra Morva who was with him as driver. He informed the station master on duty and train guard through walkie-talkie.

Then on Duty Station Master and G. R. D. and R. P. F. were staff. They were standing on the line and lying down and climbed on top of the engine after explaining to them that removed it from the line and removed it from the engine and cleared the line. During this time, instead of picking up the train at 17:40, the hour became 18:00. Their train left 20 minutes late. After the line was cleared, they whistled and the guard took an all right and drove off. His statement regarding the incident was recorded by the police on 23.

This witness in the cross-examination on behalf of accused No. - 1 stated that he was working in the Railways since 1982 before the incident took place in the year 2017. He was working as Assistant Driver for the

last 5 years. 5 years ago he started Mail Express. He knew the rules of the train. The train timings are fixed by the Government of India. It has a section controller to fix the time and standard time fixed by the Government of India. At the time of the incident, he had reached the Ahmedabad railway station at 9.40 hour by train. They have no idea of the time transmitted by the section controller. Any train arriving at the railway station has to depart according to this standard time. Any train guard or driver has to set his watch according to this time. They and the train guard and driver have to inform each other whenever this is the time. Such time is not made that they have communicated with each other.

They also have to prove their presence there on time when there is a fixed time. No such attendance sheet was produced before the police at the time of recording the statement. Regarding attendance they have to report at the railway station half an hour before. No such supporting evidence was produced before the police at the time of statement. They have an appearance book. Similarly there is an assurance register. He did not produce any such book or register before the police at the time of statement. He reached the platform at 5:20. They arrived at 5:20 and during the time when the train was to

pick up at 5:40, they did not notice that any crowd had come and made a fuss. Thousands of Rajdhani train passengers are standing on the platform. He was present in the engine cabin during the take on. From the engine cabin to the railway track appear the distance between the platform and the track is tens of feet. Witness can be seen from the cabin if someone walks on the railway track. If not walking on the tracks, jump from the platform to the tracks. While sitting in the engine cabin, it is visible if someone jumps from the platform and falls down. He was sitting in the cabin of the engine and was not seen jumping from the platform and falling on any track.

The train should be driven only after receiving the guard's signal. Witness also got the guard's signal and then everything was OK so the train drove ahead. Witness had no idea that any strange incident was going to happen or had happened until the train took off. Railway police are more present on the platform when the train arrives and departs. After the incident, his statement was recorded on 23, during that period, he came to Ahmedabad twice and within these 12 days, he did not declare any such incident anywhere. He did not

appear to have received any notice from their department to write a statement regarding this incident.

Punctuality Control Offices are located at major railway stations for timing of trains. This section records the entire process of arrival and departure of the train. In this regard, their department also has a commercial section. Only these two departments can tell how late the train arrived or how late it left. Witness has stated that this train departed at 06:00 instead of 05:40, so no verification was done in these two sections. There was no record of this incident and no such register was produced by them at the Police Station. A ticket is required to get on the platform. A ticket is required if a passenger wants to board the train. Nowhere does it appear that people have boarded the engine it is also not made that the register has been registered and given to the police. Passenger trains are sometimes late or passengers are clamoring for space in the train. There is also a lot of noise on the platform as there are a lot of publics.

They did not complain anywhere that someone had stopped the train or that someone had boarded the



engine. The police did not issue any notice or summons to them to give a statement. He knew the name and address of driver Prakashchandra witness and told the police that Bhimsinh Bhai was the assistant driver with him. It is not established that there was any vandalism or damage in the train in which witness was as assistant driver. Witness does not know anything about this incident.

In this work it is proposed to consider the cross-examination as per the cross-examination made against accused No. - 2 to 5 and 7 to 18 and 28 to 31 against accused No. - 1.

In the cross-examination of this witness accused No. - 19, 21, 23, 24 and 27, it has been stated that the glasses worn by him are both near and far. He was wearing the same glasses in 2017 as well. With these glasses he can see 4 - 5 km. As much as he could see and even that day he was wearing glasses. No notice has been given to witness from the Railway Department regarding the incident on 11/1/17. No departmental action has been taken against him by the Railway Department regarding the incident of this day. Witness

stated that the facts mentioned in his testimony were not mentioned in the police face-to-face statement again, they wrote to the police at that time. At the time of writing the statement on 23/1/17, he came by Rajdhani train.

In the cross-examination of this witness accused No. - 20, 25, 26 states that, on 11/1/17 he does not have any written proof that they are going to Abu - Road with vehicle no. - 12958. It is also not established that on the date of the incident, he took the train and left at 5:40. In Railway Department the clock time is written in 24 hour format. Witness accompanied his engine driver and did not file any complaint in the police station on the day of the incident. Even in witness department, they have not given any explanation in this regard. He used to take Rajdhani from Abu - Road and reach Ahmedabad at 06:40 hours. Ahmedabad their train arrived at 09:40 hours. Also "in the evening their departure time is 5:40 hours which reached from running room to lobby at 5:10 hours and their on-duty is on platform No. - 1. Hours 5:10 they are on duty. From number one they go to number 10 where they take charge of the train and it takes them 10 minutes to go from number one to number 10. At 5:20 they reached the

engine. And from here they charged the engine and checked the oil water and after seeing the oil water they checked the pressure of the train which was fine and after getting the certificate from T.X.R. sir that the train is OK, he signed a copy of this certificate. It is admitted that it is not written that 'they shall be given and one shall be kept by them.'”

(47) Prosecution No. - 468 From witness MohammadIlyas Habibulambiya Hashmi in his evidence on oath stated that in the year 2017, he was the Main Train Manager worked on the post of Mail Express. In the year 2017 on 11/1/17 he took Rajdhani Express 12957 which was on duty from Ahmedabad to Ajmer and charged the carriage. At that time the drivers were Mr. Bhimarsih Bamania and Mr. Prakashchandu Morwal. After charging the train, the train is ready and he started the train after receiving the signal. At 17:40 hours the signal to start the train was given. Soon after, the driver informed on the walkie - talkie that some people had boarded the engine, including some men and women, and had fallen asleep on the track. They immediately informed about the incident to Deputy S. S. Ahmedabad as well as control informed.

That place is above platform No. - 10. After R. P. F. and G. R. P. F. staff immediately cleared the track and removed the people from the engine and the Station Superintendent instructed them that the track was clear and to run the train. It was 18:00 when witness left the train. All these operations took 20 minutes extra time by train. They don't know the people who slept on the track and climbed on the engine. Case etc. will have been made. Called for statement on 23/01/17 and Chaudhary Sir took their statements.

This witness in cross-examination on behalf of accused No. - 1 stated that the witness has not given any complaint about any such incident taking place in the railways. Witness informed the control room about the delay of 20 minutes. No explanation has been sought from his department for this delay. Till 23/01/17 witness did not file any complaint anywhere. Since this incident took place till today, no explanation has been asked from witness department regarding this delay. Take witness statement no summons or notice was issued to him, but he came to Abu - Road to take the statement of witness Chaudhary Sir. When witness statement was recorded, the police read it to him and explained the statement in

Hindi. Witness statement was written by Chaudhary Sir as witness wrote it.

Witness was working in Railways for about 27 years at the time of the incident. Witness appeared in Railways as Goods Guard. The duties of goods guard and passenger guard are different. Witness was working in Rajdhani Express since 2017. Witness duty in Rajdhani Express is in the last compartment of the train. The train runs only after witness signal is given. It is not known whether anyone climbed on the engine of the train or whether anyone stood or slept on the train tracks. Witness said that witness was informed by the driver through walkie-talkie. The place where the Rajdhani Express train stops is very crowded.

"I immediately informed the Deputy S.S. Ahmedabad as well as Control and informed about the incident". Also, "Immediately after that, the driver gave an instruction on the walkie - talkie". Witness admitted that it was not written in the statement, and said that they were not asked. Evidence showing that Witness was employed on the train at the time of the incident was not given to the police. Witness said that the police what ask

him to tell. The timing of arrival and departure of trains is fixed. For that there is also Punctuality Office. Till date Witness has not taken any certificate from this Punctuality Office that this train is late. Witness statement is that none other than him at the time Abu-Road was taken. Statement not recorded. At the time of incident, witness did not know what action was taken by R. P. F. and G. R. P. F. There were 21 coaches in Rajdhani Express train at the time of incident. It was 20 or 22 even from is executed. Signal given by witness after full verification. In response to the question that no evidence has been given to the police to show that witness has to perform duty as a guard in the passenger train, it is said that there is no need. They answered as the police questioned them.

Reversal of this witness to accused No. 2 to 5 and 7 to 18 and 22, and 28 to 31 and to accused No. 19, 21, 23, 24, 27 and Accused No. 20, 25, 26 to accused No. 1 Cross-examination as per the investigation is presented to be considered.

(48) Prosecution No. - 486 From Investigating Officer Hasmukhbhai Chikabhai Rathwa stated in his evidence

on oath that in the year 2017, he was serving as Police Inspector in Ahmedabad Railway Police Station. On 11/01/2017 While he was present on his duty, around 17.30 hour, he received a message that Rajdhani Express departing from Ahmedabad has been stopped by some men who have climbed on the engine of the train and messaged that some are lying on the tracks. After that, the place on which this train was standing to go to Delhi was platform no. - 10 was situated near Kalupur railway station and there he along with Surveillance Squad men and other staff visited reached above platform No. - 10 witness before R. P. F. Men of as well as R. P. F. Police Inspector N. K. Verma was present with his staff. They were trying to remove the men lying on the railway track from the engine of the train. Witness and his staff were attached to him. Men and women used to stop this Rajdhani Express. R. P. F. also with G. R. P. Police men codan them and brought to the R. P. F. office. During this R. P. F. Head Constable Sangitaben was found to have an injury on his left hand.

The matter of stopping the train R. P. F. P. I. N. K. Verma filed a complaint against all these arrested men and women. Jigneshbhai Natwarbhai Mevani and 17 other men were there. There were also 13 sisters with

different names. Thus it was found that the complaint against 31 Accused was taken in person. When the complaint number 140 was shown to witness, he recognized the signature of the complainant in person. After preparing the list letter, Railway Police Station P. S. O. sent to file a crime. The report of the officer-in-charge to Witness is presented from No. - 487. Then Ahmedabad Railway Police Station First F. I. R. No. - 8/2017 I. P. C. under Section-143, 147, 332, 120(B), the crime was filed and further investigation was directed towards witness, after taking over the investigation, getting the detailed names of the 18 men caught in the commission of this crime, filling the face mark sheet, filling in the surname memo, arresting the commission of this crime, preparing the Panchnama, calling three Panches and catching them. All 18 men and 13 women were arrested with their faces marked. Panchnama showing No.-145 to the witness, executed in the presence of three Panches, in which the signatures of the Panches and his personal signature are identified.

Later, 13 sisters who were arrested for this work were released after giving notice. A Panchanama of the place was made by calling two Panches men along with the complainant. The original Panchnama of the



premises made from police papers is shown to have been done in the presence of the Panches, signatures of two Panches and the signature of witness in person. It has been identified and submitted from number - 488. This Panchnama has been scored considering the objections raised by the accused.

Sangita Devi, who was injured in this incident, was sent to the Civil Hospital after writing a list for treatment. The facts as written by them were written down when they asked the police personnel involved in this work about this crime. Regarding the incident in this work, R. P. F. tried to get the cassette of the shooting CD of the video shot and got the CD. The list for obtaining this CD is presented from No. - 489. One of the police papers CD having heard the submissions of the parties, the facts objected to by the accused, seeking permission to present this work, are ordered to score this CD. In view of the fact that after the order, it was left to assign the marks conditionally, this error has been rectified and this CD has been issued from No. - 548. Witness has been presented from No. - 517 showing the list of treatment certificates from the police papers.

Statements taken from witnesses involved in the above crime. Accused detained. Witness can identify the accused. Some of the accused are said to be present. Original charge - sheet shown to Witness. Instead of Witness, the investigation of the crime was carried out at Railway Palanpur Police Station, Railway Mehsana Police Station and further investigation of this crime assigned to P.I. D. J. Chaudhary. Pursuant to the fact that the accused party has declared that the Pursis presented from No. - 500 and the copy of the CD presented cannot be seen, the witness states that the storage of the crime CD in their police station. G. R. P. Police Station or R. P. F. will investigate and present at the police station. After stating this, it is stated in the second term that no record of the CD was found in Kalupur Police Station Railway Station in this regard.

This witness in cross-examination on behalf of accused No. - 1 stated that witness was serving in Police Department since 1989 and appeared as Police Constable. He was working as a Police Inspector since 2014. He was working as Police Inspector in Railways since 2014. They are aware of the jurisdictional areas of their police stations. He is informed by Railway Police Station. And in the year 2017, his chamber was above

platform No. - 01. There are total 12 platforms in Kalupur railway station. If you want to come to the railway station at this time, can come from both platform no. - 1 and 12. Both places are their R. P. F. their staff and G. R. P. staff and railway staff are present on duty. In response to the question that checking are done at the time of entry of passengers and passengers coming onto the railway platform, it is written that it is not done every time. In response to the question whether there is a check if a large number of people enter, it is stated that there is a large number of people entering continuously. During the investigation, witness did not take any statement from the employee present about any entry from the platform on both sides without a platform ticket and they arrested the accused.

Witness arrested the accused between 5:30 and 6:00. The accused were not checked whether they were in possession of travel tickets or platform tickets when they were stopped. After arresting the accused, witness taken to the R. P. F. office. The spent about four to five hours with the accused at R. P. F. office. During this four-five-hour stay, the women who were lodged and the accused were arrested were released on bail after

being detained and given a notice. Male accused kept in lockup. All proceedings done at the R. P. F. office.

Witness first got to know about this incident through speaker around 5:30. It is agreed with the witness that if the complainant has named any person as a witness in his complaint, then the statements of such persons are required to be recorded in the course of investigation. During the investigation of this work, R. P. F. railway's P. S. I. R. N. Sindeh and Saunidigvijay Singh the statements have not been obtained. Witness reports the information received and the information disclosed by the control room. No one's statement was recorded during the investigation from the control room. During the investigation Complainant get the call, came from P. P. F. control no statement from P. P. F. control was recorded. The mobile phone of the complainant was not seized during the investigation. At the time of the incident, C. C. T. V. Cameras were installed. Even where there are roads to descend on both sides, C. C. T. V. Cameras are installed. During the investigation, both the platforms and both the entrance gates and all the platform forms C. C. T. V. cameras and exit routes C. C. T. V. Camera footage was not obtained for investigation purposes. The CD produced during witness cross-

examination was of a video taken by a camera at the scene. Of someone who took a video of witness statement was not recorded during the investigation. The CD that witness obtained received by writing a letter to R. P. F., in response to the question that the CD which were presented in the court during the investigation were in the possession of witness, it has been stated that, while making the charge sheet, charge sheet I. O. All the proof documents have to be presented before the reputed Court. That C.D. which is not given at that time so that this C.D. submitted now. This C.D. in response to the question that it was in their possession till it was presented, it was stated that it was in the possession of the Police Station. This C.D. was not obtained by doing Panchnama. This CD has not been included in the work of charge - sheet by recording the statement given by anyone. This C.D. what is the matter which is verified at that time. No entry-exit number is recorded regarding this CD being given to any official.

This incident none of the accused were paraded before the Prosecution or before the Executive Magistrate. At that time this C.D. no identification was made by showing the photographs of the accused after obtaining them. No certificate has been obtained of the

Evidence Act under Section 65(B). It takes three to four minutes to reach from witness office to platform no. - 10. I don't remember exactly how many staff they had in 2017, but it was more than 100. At that time, he was a superior authority in the railway police station. The duty of witness subordinate employees has to be delegated to witness. At present, they do not remember how many of their employees were present on duty on the platform at the time of the incident.

No statement of any responsible railway official has been recorded regarding the timing of Rajdhani train. What is Punctuality Control Room Cell in Railway Department? Witness doesn't know about it. During that investigation no statement of any senior Railway official regarding stopping the train has been recorded. Witness recorded statements of total - 20 railway employees. Witness later handed over to the investigating officer. Sangitadevi's statement can't remember the date on which it was registered in the R. P. F. office. This statement lasted about 20 to 25 minutes. After recording her statement, a list for her treatment was given. The statement of the doctor who treated Sangitaben is not recorded. Sangeetaben's statement for treatment Vaishaliben Lakhabhai's statement is not recorded in the

investigation work. The certificate regarding the treatment of Sangitaben was not obtained during the investigation. Witness cannot know what place and where it was done Panchnama.

He cannot tell the approximate time between the first Panchnama and the second Panchnama. Arrested the accused, I don't remember now how long the first panchanama was taken after being brought to the R. P. F. office. The work of summoning Pancha which have been done in any Panchanama for this offense is done by witness. A rough sketch or maps of the Panchnama of the area to be constructed have not been prepared. No photography or videography was done at the time of Panchnama. A thousand to fifteen hundred gather at the railway station when the train arrives. Many a times, passengers make a fuss about boarding and alighting in the train compartment as well as reservation. Witness said that there is no reservation. There is a general compartment. From the place where R. P. F. control room means station is about 500 meters away. The R. P. F. employees are present for duty at R. P. F. station.

Witness reached the incident place along with 15 to 20 men when he received the message. The employees who were present with him at this time can't say their names now. As soon as they get the message, they directly fill in the platform No. - 10. After reaching the spot of the incident, the passengers inside the train did not make any complaint about the train stopping or commotion. After that no statement was recorded regarding the incident of any passenger of Rajdhani Express. They have not recorded any specific statement of the complainant regarding the incident. Kalupur railway station has train arrival and departure time table. During their investigation, they did not get any time sheet regarding which train would arrive and which train would depart.

During the investigation above platform No. - 10, no document has been received from the Railway Department regarding whether the Rajdhani Express arrived on the day of the incident or depart on time. No statement of any high official of the railway was recorded regarding the fact that an incident has been made. The writing on the CD produced during his evidence in this work is in his writer's handwriting. The writing on the CD does not bear the signature of the writer or the date on



which the writing was done. They stayed at the railway station for about four to five hours after the time of the incident. On the day of the incident they recorded the statements of almost all the witnesses. It is not remembered on which date the statement of those who remained after the incident was recorded. They cannot say for sure whether the statements of all the witnesses were recorded on the same day after the incident. A writer was working with him at the time of the incident. Procedure for recording statements done in the R. P. F. office. Mangubhai Rathore was not his writer. But don't know whose employee it was. He don't remember exactly how many P. S. I. were with them at the time of the incident? But remember the name of one.

Their police station range is not limited to Kalupur police station. But it is as per the limits decided by the Government. They used to keep Maninagaras an Out Post Chowki within the limits of their police station. Witness superior officer means his D. Y. S. P. called witness about this incident, his D. Y. S. P. nor, any other superior officer was informed in writing. Their police station has a practice of roll call. About nine to ten of his staff could be identified by name. Regarding this incident, he did not inform the employee who knows him by name

over the telephone. Apart from this, no employee has been informed by telephone. They are not meant to have to give phone or verbal instructions to anyone other than the people they have taken with him.

Witness, through his employees, has lined up the complainants and denied that they were not made up as calculated. After reading the complaint of the complainant, Witness has stated that the names of 31 accused have been written in it. Witnesses have denied that he has not written the names of all the accused in his personal statement. There is no separate office of E Guj-Cop in Kalupur railway station. For any investigation, if a person does not know Gujarati and knows Hindi, he has to explain it in Hindi language. If a person knows only Hindi language and his statement is written in Gujarati then he has to explain this statement in Hindi language. Those who recorded the statements of the witnesses knew Gujarati language, so it is not necessary to take signatures because their statements were translated from Gujarati to Hindi and explained.

They investigated how many station masters were there at Kalupur railway station at the time of the

incident. Witness said that there was a station master and all the information about whether a train was early or late was with the station master. They have not checked whether this station master has vigilance command section. They have not checked that the station master has a record of train arrivals and departures. There is no facility to maintain walkie-talkie in the R. P. F. department. It has not been checked whether any register of such walkie-talkie messages is maintained in the Railway Department having such a facility. After investigating whether there was a station master at the time of the incident, no statement of the station master was recorded. Even during the investigation, it was not possible to record the statement of the station master who was present on the day of the incident.

The complaint of the complainant was registered approximately 30 to 45 minutes after the incident took place. It took about 45 minutes to an hour at the time of registering this complaint. The complaint of the complainant in this work was recorded in Gujarati language. During their entire investigation, it was not revealed who gave the first information of this incident to whom. During their investigation, the statement of the

person who investigated this matter was not recorded. No letters or receipts from the Railway Department regarding the same have been received. I can't remember when I saw the names of these Accused at the time of the incident. Witness interrogated the accused and recorded their statements. In pursuance of this incident, no report was made to Mr. Chaudhary, the investigating officer and the statements of the witnesses. Witness has said that the papers have been given.

The common platform is between Platform No. - 10 and 11. There are not more than one store and shops on this place. But there will be around four to five stores. Before witness reached the platform, R. P. F. staff was present there. Usually if an offender is handed over to R. P. F. from the side, the travel ticket and platform ticket of such person should be verified and if he and he does not have such ticket, an offense should be registered in that regard. R. P. F. no complaint has been made regarding witness not having such a ticket. In response to such a question, it is stated that they have not made such a complaint. But the complaint of some crime R. P. F. can do itself. In this crime R. P. F. such investigation has been revealed during the course of investigation.

Among the accused who have been checked on the platform, none of the accused have been absconding. He is said to know what is called an illegal society. No one went outside the railway station to investigate this crime. During their investigation regarding the illegal association, went outside the police station and did not investigate the matter. During their investigation, it was not revealed that the police had to use force. Evidence was found that the accused in this work had rioted and stopped the train. No evidence was found that they vandalized or damaged the property. The statement of any railway official about the train being stopped was not obtained during the investigation. No document showing that the train was stopped and the train was delayed was not received by the investigating officer and handed over to the next investigating officer. The statements of the 31 accused were recorded immediately after the incident. What is criminal conspiracy? They know that. The statements of all the accused persons were called one by one and recorded separately. In reply to the question that all the accused persons have committed the crime by conspiracy, they say that the accused have stopped the train, lie on the railway track and climbed on top of the railway engine, which is the same crime and the same conspiracy. After taking the statements of the accused,

statements of witnesses were taken and Panchnama was processed. During their investigation, no evidence of criminal conspiracy was presented by the Railway Department.

By looking at the Panchnama of the place where the incident happened, you can tell approximately how much time has passed. 31 Accused would have spent about four to five hours in the process of recording the name and making the name Panchanama as well as the statement and verification. During their investigation, sarees and clothes where women have taken off their sarees and exhibited, or any person has taken off their clothes and exhibited, are not seized for the purpose of investigation. He cannot say exactly how many people were stuck on the train, but approximately five to seven people were taken off the train. Witness and his employees have denied that they ever stopped anyone from getting off the railway platform or from the tracks. The platform was about three feet higher than the track. If a person stands on the track, only his head is visible on the platform. In response to the question that this distance is about five feet high, it is stated that there was a platform where the engine was standing at the place where the incident took place and so a person could

easily get down and go to the track. What witness says is that the venue will come after the completion of the platform. Witness agrees that if a person sleeps on the train tracks, public men are not usually meant to move them from the tracks. It is denied that public men are moving from one platform to another from this place.

The names and addresses of the five and seven people who were taken off the engine have not been verified separately. There was no investigation as to how long these five-seven people were on the engine. Regarding this incident, witness employees no photography or videography was taken from the R. P. F. employee's mobile phone in relation to the incident. The names and addresses of the men and women who were on the track at the time of this incident were not verified and their statements were not recorded. During witness investigation, it has been proved that the accused of this work are from the same village. Accused No. - 1 found to be from Ahmedabad. No evidence has been obtained and submitted that the accused belong to the same village.

No evidence of late departure of trains from any part of the railway was found. Attendance registers of

police personnel who were present on so-called duty during investigation work were not obtained. It is essential in complaint that the both the complainant and the accused in complaint must have the signature. On seeing the form 154 being shown to witness, it is stated that there is no signature of witness or of the accused as complainant. Witness has stated that, P. S. O. is the signature of on behalf of the accused. F. I. R. form referred to has been entered from No. - 529. In which F. I. R. no statement has been recorded in this work that it is the signature of regarding not taking the signature of the complainant in this form, P. S. O. No explanation was asked or witness did not give any such explanation during the evidence. In this work which F. I. R. whether there is an offense under Section 149 in the one registered? No such note has been made. Witness states that the application for addition of clause has been submitted no approval of the court was obtained regarding the addition of the clause. It is not remembered whether any other accused were detained in their police station on the day of this incident.

The complainant has not disclosed the full names of any of the accused in the complaint. No identification paraded made before the Executive



Magistrate regarding the accused having such names. It is denied that the full names of these accused were not revealed during the investigation. In response to the question that the names of the accused were not asked through witness employee while standing on the line, witness said that witness himself asked their names while standing up and witness writer wrote them down. The names of how many accused persons were on the engine of the train were not revealed during the investigation. Any train has an up and down number. During the investigation in this incident, no information was found from the railway department regarding the up and down numbers of the train. There was no investigation in the railway department regarding the Rajdhani train. The direction from where the announcement was made and who made it was not investigated. On the day of the incident, the duty list of the railway police staff was obtained and not included in the investigation work. During the investigation Service book or charge book of station master present at station on 11/01/2017 not received.

Apart from this, the investigating officer has been asked about the contradiction on record during the evidence of the witnesses on behalf of accused No. - 1.

Contradictions in the evidence of the investigating officer are to be proved. Further to the Investigating Officer negative form questions as well as negative form questions are asked. Which is denied by witness.

In the cross-examination made towards the accused No. 5 and 7 to 18 and 22 and 28 and 31, it is stated that the complainant of this work has not disclosed who and what kind of slogans he was making in his complaint. The facts about who was saying that the train will not be allowed to run have not been revealed in the investigation. No statements of the Home Guard personnel present on duty were recorded during the investigation. In response to the question which witness has stated the full name before the witness, it has been stated that none of the witnesses did. Written by witness himself. No statement was recorded in the investigation work of the announcer. Witness Visakh Rathod has not stated in his statement that he gave his statement in Hindi language and translated it into Gujarati. In the course of investigation, none of the witnesses were shown the photographs of the accused and the statement was recorded and identified. It is not established that the message register was seized from the station master during the investigation. No such note

was found to have been made by the Station Master during the investigation.

It is not stated in the complaint that the complainant of this work has made any inquiry of the accused or stated what the demands of the accused were at the time of the incident and raised this obstacle by creating a protest when it was not fulfilled and has written down the names and addresses of all, it has not been revealed in the investigation. Whether the complainant has given any notice regarding the incident to the Railway Department, no statement has been taken from the superior officer. No statements were recorded in the presence of the complainant. Any letter document not seized for investigation ordered to go any R. P. F. employee to platform No. - 10. Except witness, P. S.I. A. K. Buval K, the complainant himself was present there and R. P. F and G. R. P. Other employees were present. At that time there was a staff of 8 to 10 men in the Surveillance staff. These employees have to perform duties as per witness instructions. Apart from the police officer who was taken along with witness, no other police officer was called to the spot with different instructions. They had two employees in their account department at that time.

When witness came to know about the announcement he went above platform No. - 10. Meanwhile, he is not allowed to move to any other platform. It is not established that when witness got the information of the incident, he called the police officer of witness and informed him of the incident. Witness currently does not remember that, whether any of the staff of their police station happened to have detained any other accused persons on 11/01/2017. At the time of the incident, his writer was Ranjit Vanzara. All statements recorded by Ranjitbhai as written by him. Witness said that no statement of Ranjitbhai Vanzara was recorded in this work which was recorded by calling one by one. Recording one witness statement takes about five minutes.

Also, witness has been asked negative and accusatory questions towards the accusers. Which is denied by witness.

In the cross-examination by this witness accused No. 19, 21, 23, 27, it is stated that on January 2017 at Kalupur railway station there were eleven

platforms like Broad - Grage and one Narrow - Grage. He cannot say how many trains arrived at Kalupur railway station in the period from 5 to 6 in the evening. They can't even approximate. Their police station is about 500 meters away from Platform No. - 10. It takes about five to ten minutes to arrive on Platform No. - 10 from 5 to 6 in the evening during peak hours.

Accused No. - 1 to 31 have stated in response to the question that in which year, which month, on which date, on which day the criminal conspiracy was committed, that they gathered at the place where they conspired and stopped the train. At 5:00 hour on 11/1/17, the accused have denied having any such intention. Accused No. - 1 to 31 on 11/1/17 no independent evidence has been adduced that the criminal act as alleged in the complaint was to be committed. In response to the question that independent evidence means witness, it is stated that the statements of eyewitnesses Jitendra Ramdas, Manubha Tapubha and Dinesh Ramendrabhai and Abhesingh Rakeshbhai and Sanjov Dayaram, Shivlal Gopilal and Lacchiram Bhadoria, Ramkhilani statements of eyewitnesses have been taken.

Statements of any passenger traveling in Rajdhani train on 11/01/2017 were not recorded for investigation. No incriminating material was recovered from the accused. During their investigation, the fact that the accused played any specific role among the accused has not been revealed.

Also, witness has been asked negative and accusatory questions towards the accused. Which is denied by witness.

This witness in the cross-examination of accused No. - 20, 25, 26 states that the accused were never met before or after the incident. Meenaben, Chayaben, Lakshmiben, accused of this work cannot be identified by name respectively or by name knower. None of these three sisters have uttered a chant and which chants have not been revealed during their investigation. The exact role played by these three sisters has not been clearly revealed in the investigation. On the day of the incident, the three sisters stopped the passenger Rajdhani train and the investigation did not reveal that they had disturbed the passengers. The three sisters are not reported to have produced anyone on the same day

they were detained. It is not made out that there was an identification parade with any victim before Mamlatdar by this three sisters.

After the Rajdhani train was stopped, the class 1 and 2 officers came to the spot and it is not established that the identity paraded of these sisters in their presence. It is not clear whether these three sisters were on the train track or on the engine. It is not revealed which accused stood where and what role they played during the investigation they had.

(49) Prosecution No. - 546 to the other Investigating Officer Dilipkumar Jeevanbhai Chaudhari in his evidence on oath stated that in the year 2017 he is working as P. I. at Kalapur Railway Station on 20/01/2017 First F. I. R. No. - 8/2017 I. P. C. Section - 143, 147, 149, 332, 120(B) and the Indian Railways Act Section 153. P. I. Rathava Sir got the statement of the Train Driver, Assistant Driver and Guard of Rajdhani train number - 12957 about this crime. R. P. F. Constable Sarojkumari received a certificate of medical treatment at the Civil Hospital. A charge sheet has been filed in the court for this crime. In this work it is stated that the accused are known.

This witness in the cross-examination on behalf of accused No. - 1 states that after receiving the investigation papers, he did not call the accused and take his answers. He is not supposed to meet face to face after taking over the investigation. They have recorded the statement of the three witnesses and obtained the evidence showing that the witnesses were present on their duty on which day during the investigation. Witness has included the letter sent by Railways in the name of Driver Guard, Assistant Driver along with the charge - sheet. These three employees were present on duty. No documentary evidence to that effect has been enclosed with the charge - sheet. They did not investigate the number of times these three witnesses visited Ahmedabad railway station after the incident. No permission was obtained from the Railway Department regarding the recording of their personal statements of these three witnesses. Statement of witness Prakash Chandra recorded at Ahmedabad station. The witness was a Hindi speaking person who was asked a question in Hindi and answered in Hindi and translated it into Gujarati and recorded the statement. In response to a question that no signature was obtained as the contents of that statement were explained in Hindi, he said that he understood Gujarati language. Bhimsingh Bhai's



statement recorded at the railway station. MohammedIlyas Hashmi statement was also recorded on the station. MuhammadIlyas Hashmi statement is recorded in Gujarati. He agrees that if a person does not study Gujarati language, specific action should be taken to record it in his language. Witness said that the railway employees working in the Western Railway Division used to come to Gujarat from time to time but knew the Gujarati language even though they spoke Hindi. This work called the complainant after receiving the investigation papers and did not record any particular statement of him. After witness took over the investigation, no statement of any higher railway official was recorded. Witness served in Ahmedabad Railway Police Station for a total of seven months.

The statements of the witnesses who were previously witnesses should not be recorded for the purpose of investigation no special statements of his are recorded. Three of the Complainant's complaint any special after obtaining injury certificate after recording statements of witnesses not performed. Any statement recorded by the treating doctor. They obtained the treatment certificate themselves. Pursuant to treatment certificate no statement of Vaishaliben Lakhabhai Parmar

was recorded. The question of self-treatment no special statement of the injured person was recorded after obtaining the certificate. This on the platform or police station, railway station in the investigation work C. C. T. V. footage obtained and not checked. When assigned an investigation if any third party is found in the work of evidence, then specific investigation in that regard have to do.

Witness studied the Railway Act 153 after receiving the investigation papers of Section-153. It has been denied that the Railway Act section was not found during the investigation. The elements of the offense of Article 153 know the essential elements of Section 120(B). In this work witness thorough investigation into whether a criminal conspiracy was formed in this work evidence obtained. In the statement of the driver of the train that all these together stopped the train. No specific evidence was found in witness investigation as to who hatched this criminal conspiracy and where it was hatched. Witness agrees that when there are serious crime clauses, there should be specific investigation and specific evidence in that direction.

Witness knew that, after taking over the investigation, the statements of the police witness had been recorded earlier and were working in all the Police Stations. No special statement of any of these witness was recorded. Witness did not list or consent to the three witness whose statements were recorded to explain themselves. Witness has said that his previous Police Inspector listed regarding the statement. Pursuant to this incident, the previous investigator no statement of P. I. Ratha was recorded. In their investigation work, they have not found any evidence that any of the three witnesses who have recorded the statements of any one of them had given a message to anyone, had given an instruction to anyone, or had complained to the railway department. The copy of the control room given by statement was obtained for investigation. No statement of any employee of the control room who recorded these statements was recorded during the investigation. In the course of investigation, the wireless was not seized and the copy of the register was not produced. Witness said that this is statement release. In this regard, the statement of the station master was recorded and no verification was done. The names, addresses and descriptions of the accused have not been revealed in the statement of the witnesses whose statements have been

recorded. Witness has said that the work of investigation has been opened.

Also, witness has been asked negative and accusatory questions towards the accusers. Which is denied by witness.

In the cross-examination of this witness accused No. - 2 to 5 and 7 to 18 and 22, 28 to 31, it is stated that when Indian Penal Code Section - 149 was not included when F. I. R. was introduced. There is no report of the Court for addition of Section - 149. Witness has stated that his previous investigating officer did it. The statement of the three witnesses recorded by them did not mentioned the names and addresses of any of the accused.

Also, witness has been asked negative and accusatory questions towards the accusers. Which is denied by witness. Also the cross-examination made against Accused No. - 1 has been submitted to be considered against these Accused.

In the cross-examination of this witness accused No. 19, 21, 23, 24, 27, it is stated that during their investigation no action was taken except that the statements of three witnesses were recorded. It is denied that no independent evidence was collected regarding the presence of the accused. According to witness, in the plaint of the Complainant and in the Panchnama, the presence of accused persons is mentioned, which is proved by witness.

Also, witness has been asked negative and accusatory questions towards the accused. Which is denied by witness. Also the cross-examination made against accused No. - 1 has been submitted to be considered against these Accused.

This witness in cross-examination towards accused No. - 20, 25, 26 stated that the three statements recorded by them were not recorded by their previous investigating officer. They did not investigate why the previous officer did not record the statements of these three witnesses. In response to such a question, it is stated that the previous officer wrote a letter and called for the statement, but as he was transferred, his

statement could not be recorded. In the recorded statements of three witnesses, the facts of the names of Chayaben Jaysingbhai, Laxmiben Ranchodbhai, Meenaben Bipinbhai Jhala were not known. The accused in this work did not make out the three declarants as Accused. The injured person during his statement has identified these three Accused and has not written that the injury was caused by them. Whether these three accused have been called to the police station for investigation, it is not possible that they have gone to their village and investigated. Witness cannot recognize the names of these three accused. Also, witness has been asked negative and accusatory questions towards these accusers. Which is denied by witness.

(9) If we consider the facts of all the above oral and documentary evidence presented by the Prosecution in this case, it appears that among the witnesses who have presented evidence in this case, all the witnesses except the Police officers do not support the facts of this incident. Private witnesses of this case were repeated during evidence in court those who have been declared the police do not corroborate the facts of their personal statement despite asking leading questions from Special Additional P. P. considering the facts, this work does not show that the facts of the complainant

party have been supported by independent i.e. private witnesses.

(10) Taking into account all the facts of the evidence adduced by the complainant in this case, when the complainant in this case first announced his complaint, the complainant in this case in his complaint bearing number - 140 at page No. – 2 “I have condoned off the Policemen with me and present these men and while interrogating them, they have told me their names. In my inquiry Jagnesh Natwarlal Mevani has told me that I have asked the Gujarat Government to fulfill various demands of the Dalit community. Also the names of the accompanying persons asked" has been written in his complaint stating the names and addresses of all the accused persons. This complainant himself is an officer of the rank of police inspector of the R. P. F. Department. Then 17 men and 13 women whose names are not known along with Jignesh Mevani were arrested by G. R. P. for obstructing the running of railway engines and railway tracks by forming an unauthorized assembly filed a good complaint to take appropriate action." In cross-examination on the part of the complainant, it is found that none of the names of the accused mentioned in his complaint have been disclosed.

The complainant of this case is himself a Police Inspector. Complainants in this case are Government employees, naturally, the facts disclosed by the police in person while testifying before the Court regarding the action taken as part of their duty, must be fully disclosed to the court. If the witness does not stick to the facts declared by his police during the stage of evidence before the court, then such a witness shall be charged under Special Additional P. P. turned should be disclosed and such witnesses should also be asked leading questions to bring all their facts on the court record. The fact that the complainant in this work has been declared to have been rescinded does not appear to be supported by the record. If the facts of the cross-examination of the complainant in this case are read along with the complaint No. - 140, the names of the accused in this case have not been disclosed in the court in the evidence of the complainant. If the evidence of complainant No. - 139 is read along with complainant No. - 140, the complainant in this case would have reason to believe that complainant No. - 140 hasnot been fully proved in cross-examination.

(11) In this case, if the evidence on oath of other police witnesses is taken in addition to the complainant in this case, Witness Sangitadevi Harkeshkumar Saroj who was injured from No. - 165 and witness Kamleshbhai Kalabhai Buval from



No. - 172 and Witness Mangurbhai Nanjibhai Rathod from No. - 179 and Witness Bhimsingh Galubhai Patel and from No. - 182 and Witness Janardan Jayantilal Haribhakit and from No. - 184 and Witness Dilip Singh Parbatsingh and from No. -186 and Witness Jagdishchandra Abhesingh Parmar and from No.- 190 to Witness Chetan Singh Jagdish Singh Jadeja and from No. -193 to Witness Sanjaybhai Somabhai Kathad and from No. - 199 and Witness Mitalben Rameshbhai Nimawat from No. - 202 and Witness Vijay Singh Mansingh Jhala from No. - 207 and Witness Dashrath Singh Lalubha Gadhvi from No. - 212 and Witness Ilaben Bhikhabhai Khodia from No. - 214 and Witness Tejalben Umedbhai Khachar from No. - 216 and Witness Kalpana Shabenankarbhai Bodat and From No. - 217 andWitness Puniben Odhadbhai Parmar and from No. - 223 andWitness Mamtaben Vallabhbhai Chauhan and from No. - 225 and Witness Vishwabhen Batukarai Pandya and from No. - 226 and Witness Gitaben Bababhai Khambhala and from No.- 227 and Witness Dhiriben Nathabhai Ram and from No. - 228 and Witness Parvatiben Hirabhai Gorphad and No. - 230 and Witness Bhavnaben Pravin Bhai Patelia and No. - 231 and Witness Rasikaben Dhirajibhai Pandav and No. - 233 and Witness Nehaben Vajsibhai and No. - 234 and Witness Kokilaben Rameshbhai Daranga and No. - 236 from Witness Kirankumar Dineshbhai Parmar and from No. - 237 andWitness Sunil Kumar Sureshbhai Rawal from No. - 239 to Witness Krunal Vasudev Datania and from No. - 241 and

Witness Khushbuben Bahadurbhai Babria and from No. - 242 and Witness Bijendrakumar Mr. Hanuman Prasad Chaube and from No. - 244 and Witness Puransingh Prabhatasing Rajput and from No. - 245 and witness Rajeshkumar Girishchandu Pandey from No. - 249 and Witness Vishank Bishansinghu Rathore from No. - 486 and Investigating Officer Hasmukhbhai Sikabhai Rathwa from No. - 486 and Investigating Officer Dilip Kumar Jivanbhai Chaudhary from number 546, if we read the evidence on oath of all these witnesses police officer. In the evidence of any of these witnesses, none of these witnesses have stated the facts during their evidence on oath as to what were the names of the accused who were arrested from the place except Jignesh Mevani. The evidence of the witnesses of this work is the fact that the name of Jigneshbhai Mevani is exposed. But none of the police witnesses in this case named any other accused besides them in their oath on evidence.

Generally, as per the provisions of the law, the statements of any witness taken during the police investigation as per the Criminal Procedure Code Section - 161 and 162 are not to be considered by the court while interpreting the evidence. These statements are to be used during the oral evidence of the witness to refute the facts stated by him in cross-examination or when recording

evidence regarding contradictions and omissions. Although these facts are known and believed by the court, the court considers the facts of the evidence of these police witnesses in this matter along with their statements, which results in the statements of the Investigating Officers and any other witnesses included with the charge - sheet from the spot. The facts with name and address have been written regarding the fact that the accused were detained. Despite these facts, there is no evidence from the site of any witnesses to this work arresting the accused R. P. F. that G. R. P. they were taken to the police station. That matter does not appear to have been clarified in the inquiry itself.

Apart from Jignesh Mevani, the above witnesses in this case have not mentioned the names of any other accused in their cross-examination on oath. **As discussed earlier in this work, all these witnesses work in the police department.** The masters of this work are government employees. These witnesses being government employees, naturally, the facts disclosed by the police in person while testifying before the court regarding the action taken as part of their duty, must be fully disclosed in the court. If at the stage of evidence before the court the witness does not adhere to the facts stated by his police face to face, then such witness has to be declared to have reverted to the complainant party. Such returning

witnesses have to bring all the facts of their statement on the court record even after asking leading questions. Although the police witnesses of this work do not fully support their statement, the facts that they have been declared to have returned do not seem to be supported by the record. If the facts of the evidence of the witnesses are taken into consideration in this work, some of the issues were stopped from the place made during the evidence of these witnesses. No clear evidence of these facts appears to have emerged during the cross-examination of these witnesses.

Considering the evidence of all the above police witnesses of the prosecution, it does not appear that these police witnesses have fulfilled any duty as a responsible witness in the Court. Among all these police witnesses, none of the witnesses gave any clarification regarding which of the accused were detained from the place made in the court. It can also be said that these witnesses have deliberately avoided making such clarifications during their evidence in Court. If we read the evidence of all the police witnesses above this work, it can be said that there are important flaws and defects in this evidence.

The Chief Investigating Officer of this work along with the evidence of all police complainants and police witnesses. If the evidence on oath of Rathwa No. - 486 is taken seriously, the Investigating Officer in his evidence on oath, "R. P. F. P. I. N. K. Verma filed a complaint against all these arrested men and women. Jigneshbhai Natwarbhai Mevani and 17 other men were there. There were also 13 sisters with different names. Thus got the total complaints against 31 accused were taken in person. Also, the officer who conducted this investigation has further stated that, "After that, the applicant was sent to Railway Police Station First F. I. R. No. - 8/2017 After filing a crime I. P. C. under Section 143, 147, 332, 120B, further investigation was directed towards witness, after taking over the investigation, getting the detailed names of 18 men caught in the commission of this crime, filling the face mark - sheet, filling the surname memo, stopping the commission of this crime, preparing a Panchnama, calling three Panchas and catching 18. All the men and 13 women were arrested with face markings." The investigating officer during his evidence says that he himself checked the names and addresses of the accused and arrested them. But the investigating officer during his evidence does not tell during the cross-examination who these accused persons were. Although the investigating officer, who first arrested the accused in this case after identifying them, accepted their bail and presented the accused in the court, this investigating

officer does not mention the names of any of the accused in the course of his evidence. The investigating officer in his affidavit does not state the facts as to which accused persons were arrested in this case. In those circumstances, it can be said that there is an important flaw and defect in the evidence presented by the investigating officer and in the investigation done by them.

In the evidence of the police witnesses in this matter, the accused Jigneshbhai Mevani and other men and women accompanying him were arrested from the place of incident. It is said that the accused were arrested from the spot and taken to the police station for action. But all these police witnesses during their evidence do not produce any evidence to support the facts of the identity or description of the accused nor do they mention the names of the accused. According to the facts of the complainant, the accused were arrested from the spot. These witnesses are police officers. It is stated that during the action taken by these witnesses as a part of their duty, the accused persons of this work were prevented from committing the crime and removed from the place. However, these witnesses do not identify these accusers in their affidavits. The behavior of all these witnesses is very indicative.

(12) If the facts of the complainant's evidence are taken into account in this case, the complainant in this case has stated such facts in his evidence that, "Since the entire incident has been videography, the duty of the videographer is to protect the passengers of Rajdhani Express." If the facts of the evidence of the complainant are taken into consideration, although the entire incident has been videography, no investigation has been done by the investigating officer regarding this videography incident. This person statement is not taken as a witness. This work does not appear to read the charge - sheet that these CD were seized as Muddamal during investigation. This work does not appear to have included copies of any such CD with the charge - sheet at that time. If all these facts are taken into consideration, it does not appear that proper care has been taken by the investigating officer of this case regarding the CD which is an important evidence of this case.

The so-called CD of this case has been produced at No. - 528 during the evidence of the Investigating Officer of this work. Regarding how and under what circumstances the so-called CD came to the investigating officer in this case, the investigating officer himself states in his evidence that, "Regarding the incident in this case, R. P. F. had done the video shooting tried to get the CD, cassette of the shooting and

got the CD." If the evidence of the Investigating Officer during the cross-examination is taken as to why this CD was not produced from the beginning of this work, he says in the cross-examination that, "The CD produced during the investigation of witness was video taken by a camera at the scene. The statement of any person who recorded the video was not recorded during the investigation. The CD that witness obtained was received by writing a letter to R. P. F., in response to the question that the CD which were presented in the Court during the investigation were in the possession of witness, it has been stated that while charging them, All the proof documents have to be presented before the reputed court. This C. D. which is not given at that time so that this C. D. submitted now. In response to the question that this C. D. it was in their possession till it was presented, it was stated that it was in the possession of the police station. No Panchnama was obtained this C. D. This CD has not been included in the work of the charge - sheet by recording the statement given by anyone.

Considering these facts, although these CD were with the investigating officer from the beginning, they did not enter the work as Muddamal. This work did not include a copy of the so-called CD with the charge - sheet from the beginning. No certificate of the Indian Evidence Act under Section 65(B)



has been produced in respect of the CD. The Honorable Supreme Court and the Honorable High Court have laid down the guiding principle through several Judgments that no document can be deemed to be proved merely by giving marks during the course of evidence. It remains the duty of a party to prove any document as per the provisions of the Evidence Act. It was also the responsibility of the complainant party to prove the CD presented in this work. Despite these facts as well as the Position of law, there is no evidence that the Complainant in this case has made any attempt to prove this CD.

The fact that the entire incident contained in this CD was naturally a very important and important evidence to link the accused in this crime was also known very well by the officials who investigated this case. The officials who investigated this work knew from the beginning the facts that if this CD is not tried to be proved, the case of the complainant would definitely be damaged. However, this work did not take any statement of the maker of the CD during the investigation nor was any certificate obtained as per the provisions of the Evidence Act which is necessary to prove this CD. If these facts are taken into consideration, it appears that the Investigating Officers have deliberately kept defects and defects in the investigation of this work with the intention that the court cannot make any order against the accused by

considering the footage contained in this CD as proof against the accused. The conduct of both the investigating officers of this work is noted at this stage.

If we consider another fact on record during the evidence of the complainant in this work, the place where the so-called incident of this work is made is above Kalupur Railway Station Platform No. - 10 and at many places in Kalupur Railway Station C. C. T. V. cameras are installed. Both the investigating officers in this case were well aware of these facts. If the facts of the evidence of the Investigating Officers in this work are taken into consideration, any of the two Investigating Officers in this work, such so-called no attempt has been made to obtain the C. C. T. V. footage from the cameras and include it with the charge - sheet. If taken seriously, during the investigation of this work, it does not appear that the duty to be kept on the part of the officials investigating this work has been kept. The conduct of the Investigating Officers this work is noted.

(13) Another important fact of the evidence produced on record in this case is taken into consideration that the injured employee of this work, Sangitaben Saroj, who was injured in this incident if her evidence on oath is taken into

consideration, she is telling such facts during her evidence that, "In order to convince these people, G. R. P. F. and R. P. F. men went but they did not understand. So there was attack, there was a scuffle in which witness got injured on his left hand. Which they treated." In cross-examination on behalf of the accused, this witness states, "As they were injured during the construction, she went to civil hospital for treatment along with G. R. P. F. staff man. After receiving treatment, they were given a certificate regarding the treatment. At the time of treatment, the doctor had written the history but the doctor did not give any representation that they had received the certificate written by Vaishali Lakhabhai Parmar in the injury certificate. At this time, regarding the injury of witness, the accused are showing the injury treatment to them so that the above treatment certificate is being referred during the testimony which is presented from the original treatment certificate No. - 166. Her friend Vaishaliben went to get the certificate regarding her treatment and she wrote in the certificate as she wrote.

This work No. - 176 from Dr. Hemangi Nayankumar Swaminarayan in her investigation on oath stated that, on 11/1/17 at 9:21 in the night, Vaishaliben Lakhabhai Parmar brought Sangitadevi Hareshkumar Saroj before her along with the police list of Ahmedabad Railway Police Station.

Sangitaben Hareshkumar Saroj given her own history" if we read the injury certificate presented from this case No. -166, the name of Sangitaben is named as the injured person in this question letter. According to the facts of the history given by them to the doctor, the injury to the victim was "injured by Jignesh Mevani's men and other people when the men were stopping the train by pulling her hands forcefully while stopping the crowd".

If the above facts of the work injured person are taken into consideration, then the facts that the work injured person was injured by one of the accused in this work while the work injured person was performing his duty, in his own evidence do not tell. It states that the injured person was assaulted but does not provide any facts as to whether the assault took place with a woman or a man. Those involved in these assaults do not even identify themselves in Court. If the injured person was injured in a fight, then why was the history of being injured while being pulled by hand told to the Doctor. There is no clarification in that regard in the evidence of the injured party. Considering all these facts, the prosecution does not appear to be successful in providing the facts proved by the prosecution that the accused in this work assaulted and injured the injured party in this work.

(14) If the allegations leveled against the complainants in this case are taken into consideration, the accused in this case formed an illegal association for the purpose of carrying out the same intention of each other. This work was conspired by the accusers. If the facts of the evidence presented on record in this case are taken into consideration, the facts asked by the investigating officer of this case are taken into consideration at this stage, the complainant in this case states in his on oath evidence that, "then along with Jignesh Mevani 17 men and 13 women whose names are not known for obstructing the running of railways by forming an unauthorized assembly, unauthorized access to railway engines and railway tracks and for obstructing the running of the railway complained file to R. P. F. to take appropriate action. "The complainant in his cross-examination does not appear to have produced any oral evidence to support the facts of conspiracy by the accused persons. It is stated on page No. - 2 of the complaint No. - 140. It is declared that, "Therefore Dalit leader Jignesh Mevani along with the men and women named above conspired to commit illegal act by forming an illegal association and illegally entered the railway limits" if these words are read, the allegations of conspiracy by the accused have been made from the beginning appears to have been done.

In this case the complainant himself during his evidence on oath does not state the facts that the accused conspired. Although the complainant is a police officer and knows the facts that he is bound to support the complaint of the crime complained of, he has not adduced oral evidence in his affidavit in support of the facts alleged to have been conspired by the accused. Considering that the complainants in this work do not appear to be supporting the facts stated in their plaint at the stage of evidence.

In this case, the Prosecution No. - 184 from witness Dilipsingh Parbatsingh in the evidence on oath, it is stated that, "On the day of 11/1/17 at 17:45 hours Jignesh Mevani and 18 men and 13 women along with him formed an illegal association at the front of the engine of Rajdhani Express train Platform No. – 10 without being within the railway limits and Jignesh Mevani and men with him climbed on top of the front of the engine and commit an illegal conspiracy without being within the railway limits. The facts do not appear to prove clear evidence as to who carried out of this conspiracy. In this case the Prosecution has not brought on record any allegations of conspiracy by the accused in the evidence of the above witnesses or any other witnesses. None of the witnesses in this case in their evidence state the facts of conspiracy by

the accused. Even the complainant this work does not support his complaint declared in this crime work.

If the cross-examination of the Investigating Officer in this matter is read in its entirety, he has not produced any evidence regarding the facts of conspiracy by the accused persons in this matter during his cross-examination. This Investigating Officer in his cross-examination on behalf of Accused No. - 1 states, "What is criminal conspiracy? He knows it. He further states that," In response to the question that their investigation did not find any evidence that at the Accused had committed the crime by conspiracy, the Accused stated that, Accused lying on the railway track to stopped the train and climbed on top of the railway engine is a crime and a conspiracy." Witness further states that no evidence of criminal conspiracy has been presented by the railway department during their investigation. The Investigating Officer states in the cross-examination on behalf of the other accused that, "The Accused No. - 1 to 31 have stated in response to the question that, the criminal conspiracy was committed in which year and which month and on which date and time and on which day, they gathered at the place where they conspired and stopped the train."

Both the Investigating Officers of this work who are officers of the rank of Police Inspector. They have investigated this crime. The complaint of the complainant of this case is taken in person. On these facts the complainant of this work knows from the beginning all the facts of the offense which he has declared a complaint under the provisions of any law. Most of the witness statements in this work are taken in person. They also know what facts the witnesses have told, what facts have been revealed in the investigation. The fact that the accused of this work has been arrested also knows who the accused of this work were and what crime was committed. Despite these facts, it appears that the Investigating Officer in his evidence on oath is giving his testimony in an ongoing case or even in the case of a minor crime, as an investigating officer gives his testimony in the case of such a serious crime.

What did the Investigating Officers in their evidence on oath do to prove this crime? How the facts of this crime unfolded. What kind of evidence was there regarding the allegations against the accused in the investigation itself. Against evidence of all the facts must be brought on record. Although the investigating officer himself identified the accused and detained them, the investigating officer did not identify any other accused except Jignesh Mevani during the



evidence. If it is taken into consideration, the investigating officer presented this work the facts of the evidence show how, where, under whom the criminal conspiracy was committed by the accused in this case V. No proof of facts is presented.

There are two Investigating Officers on this case. In this case, after the previous investigating officer conducted an incomplete investigation, the rest of the investigation was handed over to Mr. Dilipkumar Jeevanbhai Chaudhary, who presented the evidence from No. - 546. The investigating officer is also an officer of the rank of Police Inspector. The investigating officer has filed a charge - sheet in this regard. The Investigating Officer does not appear to have clearly stated any facts as to what was the evidence to prove the offense against the accused in the charge - sheet filed in this case. Before filing the charge - sheet in this case, the investigating officer has not given any clear preliminary facts about what facts they have ascertained to prove this crime. Although the CD was given to this Investigating Officer by the previous investigating officer, the latter does not disclose any facts regarding this CD during his evidence. In his evidence on oath, the witness does not give any explanation as to why the CD was not produced along with the charge-sheet while filing the charge-sheet, even though the CD was handed over to him by the previous investigating officer. Even the investigating officer

in his affidavit has not presented any evidence regarding the facts regarding the allegations made in the complaint and what evidence was obtained after investigation. The investigating officer also does not support the allegations that the accused have conspired. Considering all these facts, both the investigating officers of this case have not stated any facts in support of the fact that the accused in this case had conspired to commit the crime during the evidence on oath. The behavior of both the investigating officers of this work is very noteworthy.

If we consider the evidence of all the private witnesses and the police officers in this case, none of the police witnesses in their evidence on oath has presented any evidence regarding the facts that the accused in this case had conspired to commit the crime. Although these witnesses are Government Employees, they do not produce evidence to support the facts of the statement written by them in the investigation work. All these witnesses do not state in their evidence that the accused had committed a criminal conspiracy, but it does not appear that the prosecution has presented any clear evidence regarding the facts that the accused had conspired to commit this crime during their evidence.

The complaint filed in this case did not involve of the Indian Penal Code under Section - 149. In this case, the offense of the Indian Penal Code under Section - 149 has been added before making the charge - sheet after the offense has been registered. Neither of the two investigating officers during their evidence on oath has stated that this action was taken by the investigating officer in this case. Neither of these works, the investigating officer during the course of evidence submits to give the report number submitted for addition of the Indian Penal Code under Section - 149. The facts which do not show that the appellant succeeds in proving the addition of the Indian Penal Code under Section-149.

(15) The accused in this case formed an unlawful association with the criminal intent to carry out the same intention of each other to commit this offence. Such allegations were made public in the Complainant's complaint in this case. In this investigation on the oath of the complainant, 17 men and 13 women whose names are not known along with Jignesh Mevani were arrested by G. R. P. Complained well to take proper action." Complainant of this work also in the complaint announced from No. – 140 the accused have alleged that they have formed an illegal association and entered into unauthorized association. In this work, the complainant is stating these facts in his cross-examination. In this case all

the witnesses apart from the complainant are not found to be corroborating during the evidence. The fact that the accompanying police personnel do not support the complaint of the complainant in this case cannot be said to be successful in proving the facts that the accused in this case have formed an illegal association.

In the evidence of the witnesses in this case no evidence has been adduced to support the allegations that the accused in this case had formed an illegal association with the criminal intent to conspire with each other to commit this offence. It is not clear how the accused formed an illegal association and committed the crime. In view of these facts, it cannot be said that the complainant has been successful in proving the facts that the accused in this case have formed an illegal association with the evidence of the Complainant.

(16) The accused had no right to hold the train hostage or to cause danger to the passengers or others to make their demands or representations or to protest. There can be no dispute about the right of the people to protest against any decision taken by the Government or to present their demands before the Government. This representation is strictly acceptable as it is consistent with the provisions of law. At

every stage of making this representation, every submitter should also consider the facts that their act should be in conformity with the provisions of law. Violation of any provision of law while making a presentation is definitely an offence. There are facts that the accusers of this work have definitely lost their sanity in opposing the government.

All the accusers of this work gathered in a public place. The accused stopped the Rajdhani train in full view of members of the public as well as police officials. The accusers of this work publicly chanted. The accusers of this work stopped the train for about 20 (twenty) minutes and took the train and the passengers hostage. At a glance, the act of the accused in this work appears to be a mild act of presenting their demands before the Government or opposing the Government. If we look at this act from another point of view, it is called an act in which anti-national elements take hostages (Hijack) the people of the country or the property of the country to fulfill their demands and make their demands to the government. If the act done by the accused is seen from this point of view, it is said that the accused has committed a serious type of crime. This offense committed by the accused is not of a nature to be taken lightly.

Despite these facts and despite the fact that this crime is such a serious nature, it seems that all the police officers who have presented the evidence of the serious nature of this crime committed by the accused in this case have presented the evidence without considering the seriousness of the crime. It is seen during the evidence of the behavior of the police witnesses that the witnesses of this work have taken this crime very lightly. If all the evidence presented by the police officers in this case is taken into consideration, there is no clear evidence in any of the evidentiary evidences of this case to explain how the accused in this case were involved in the commission of this crime. The behavior of all the police officers in this work is noted at this stage.

(17) Allegations have been made that the accused in this work have committed an offense of the Railway Act under Section 153. It is said that the complainants in this work have clearly violated the provisions of the Railway Act by sitting and lying down on the railway track and climbing on the engine. Regarding the act done by the accused in this work, the complainant of this work, work has made allegations from the beginning of the complaint published by work. If we consider the facts of the oral evidence presented on record in this case, how the complainant in this case in his evidence on oath did the accused in this case commit the offense of the Railway Act

under Section 153. They do not make any clarification regarding such facts. The Complainant of this work who was working as a police inspector of the R. P. F. Police Station. Although the Complainant in this case is fully aware of the provisions of the Railway Act, in his evidence on oath he is able and able to clearly state under which section of the Railway Act the act committed by the accused in this case was an offense but no facts have been stated in this regard in his evidence on oath. This officer, during his evidence, did not bother to clarify any provisions of the Railway Act by the complainants in this case. In view of which, the complainant of this work does not appear to have taken sufficient care to prove the allegations that the accused in this work have committed the so-called offence.

If we consider the oral evidence of all the other police officers who have given evidence against the accused in this work and also the investigating officers of this work, then all these witnesses or the investigating officers are found to have given no explanation as to how the accused in this work committed the offense of the Railway Act under Section 153. There is a lack of clarity in the evidence of the witnesses as to which act committed by the accused constitutes an offense under the provisions of the Railway Act under Section 153. It

does not appear that the Complainant has tried to prove these facts against the accused in this work.

(18) The Prosecution side of this work has produced a lot of witness evidence as discussed above in this work. Among the witnesses presented in the court in this case, many of them witnesses are police officers. These police officers in their own investigation presents evidence as to what act was committed by the accused at the time of the incident. Apart from some of these witnesses, the remaining witnesses also identify Jigneshbhai Mevani as the accused in the Court. But only identification of an accused in court cannot be said to prove a crime. The complainant and the police officers who have been present and working in the commission of this crime from the beginning, have not supported their work in their evidence on oath.

(19) All the accused in this work are not residents of Ahmedabad. All the accused of this work gathered in front of the Rajdhani Express train at Kalupur railway station at the time of its departure. The accused stopped the train for 20 minutes. Considering that the accused have committed the act of sitting and lying down on the train track and climbing on the engine of the train, the accused in this act, in connivance



with each other, have all assembled at Kalupur railway station according to a pre-arranged plan for the purpose of carrying out the common intention of each other. Such facts are certainly reason to believe. If the accused have not previously discussed the same intention with each other and all of them have previously agreed to assemble at Kalupur Railway Station and to present their demands by sitting or lying down on the railway track or climbing on the engine to show their opposition or to present their demands. Naturally, such a large number of people cannot gather at the same time, in the same place, if it is not fixed.

It has not been brought on record by the complainants that the accused of this work had any other reasonable or proper reason to assemble on platform form no. - 10 in Kalupur railway station at the time of the incident. The facts that the accused in this case had left together to go to any place have not been brought on record. Complainants based on such facts as falsely implicate the accused in this action by detaining them elsewhere there is no defense. Even if the accused of this deed may have set out to go somewhere, the fact that there is no need for them to protest in this manner leaves no room for doubt as to the intention of the accused in this deed.

The Court has to analyze the oral and documentary evidence produced on record during the course of evidence. During the analysis of this evidence the court has to consider the proof and disproof of the facts that the accused are innocent or guilty. The Prosecution has examined a large number of police witnesses to support the facts on which the accused in this case committed the crime. But if the evidence of these police witnesses is taken into consideration, these witnesses do not appear to bring any clear facts on record regarding the intention of the accused in this act. It also does not appear to have been made clear as to the facts as to how the accused in this case would do to cross the common intention of each other to commit this offence.

The place where the accused in this work committed the crime is a Railway Station. In general, the main difference between a bus station and a railway station is that anyone can walk up to the place where the bus is inside the bus station to drop off any person. No person needs a travel ticket or any ticket to enter the bus station. While this incident place is a Railway Station. Generally, if a person is going to be dropped off at a railway station, he can be taken to the gate of the railway station. If a person wants to board the train inside the railway station, the person who wants to enter inside must take a platform ticket. If a person wants to travel, he can enter

the railway station by showing his travel ticket. Railway stations are not allowed to enter without any kind of pass permit. If any person is found to have entered without pass permit or platform ticket or travel ticket if so, such a person is said to have committed an offense under the provisions of the Railway Act. In such circumstances, it is the position of law that action for unauthorized entry should be taken against such apprehended person as per the provisions of the Railway Act.

The so-called accused of this case have been arrested from Platform No. - 10. Did the accused of this work have any type of pass permit at the time of this incident? Whether the accused in this case had railway platform tickets? Whether the accused in this work had any ticket to travel? None of the witnesses adduced by the prosecution on any such facts. Both the investigating officers themselves in their evidence on oath whether the accused had any such permission at the time of the incident? It does not reveal any facts about what it has investigated itself. In the charge - sheet against the accused in this case, the offense stated to have been committed, the clauses as per the provisions of the law have been added, there is no evidence that such offense is included in the clause. Even if it is taken seriously, did the accused in this case who were caught from the railway

platform in this case have any so-called legal permission at that time? There is no reason to believe that these police officers have sought to produce clear evidence in that regard.

When none of the witnesses of this work has clarified these facts, it is said that no evidence has been presented by the witnesses of the complainant party regarding the allegations made by the complainant of this case in his complaint that the accused of this work entered the railway station illegally. Even though the complainant of this case has made these allegations from the very beginning, there is no clarity in the evidence of the Investigating Officers as to why the Investigating Officer of this work did not demand any investigation in this matter. The investigating officer passed the accused of this work was there any such so-called permission? It appears from the evidence on record that no inquiry was made in that regard.

The Complainants has stated from the outset in the complaint that the accused in this work who were caught while committing the crime from the so-called crime scene from the platform of the railway station. Although these facts of the complainant of this work have been declared from the beginning, the Investigating Officer of this work has not asked

to do any investigation in this matter. The authors of this work do not appear to have sought to produce clear evidence of these facts. The Complainant in this case himself does not clarify the facts as to whether the accused in this case were in possession of any pass permit when they were found on the railway platform in their affidavit. None of the police witnesses produced by the Prosecution in this case have stated any facts in their evidence as to whether the accused in this case themselves had any pass permit at the time of the alleged offence. Considering these facts, it appears that all the police witnesses have refrained from presenting evidence as to which section of the Railway Act the accused have committed the crime, even though they were stopped from the place of the said crime while committing the said crime. Even so, the complainant does not appear to be successful in proving the facts that the complainants in this case have committed an offense of the Railway Act under Section 153.

The accused of this work stopped this train for 20 (twenty) minutes. Regarding these facts, the written evidence from the railway officials as well as the time sheet of arrival and departure of the train and the time at which this train actually departed V. Although the necessary documents may be available from the railway station for the purpose, there are no facts that such documents have been seized for the

purpose of investigation. Taking that note, it is not said that it is proved that the train departed 20 (twenty) minutes late. Documentary evidence for this was not captured when it was available. An inquiry as to why these documents were not seized even the officials do not clarify. These facts are in evidence in this work as well the investigation reveals significant lapses and defects.

(20) Ordinarily the grounds for proving the facts of the Prosecution are stronger in cases where any of the accused have been apprehended from the scene of the crime. Who were the accused persons when persons were arrested from the scene of the crime? What did they do? How was their act a crime? What words were the accusers saying? What was the role of the accusers? Many such facts come on record in the evidence of the prosecution. While evaluating the evidence of the witnesses present at the place of commission of such crime, the reliable facts which can be considered as proof of the crime in the court come on record during the evidence. If the evidence of the police witnesses presented by the Prosecution is taken seriously, it is seen that this evidence lacks clear evidence regarding the facts that can be considered as proof of the crime. The fact that the accused in this case acted with the same intention to commit this offense also does not appear to come on record in the evidence of the

Prosecution in this case. If these facts are considered, it does not appear that the complainants or the witnesses in this case are trying to support the case of the complainants.

Private witnesses in proceedings before the Court generally do not support the case of the complainant and even after leading questions after being re-examined do not support the facts of the complainant. Even the private testimony of this deed does not appear to support the facts of the complainant. All the private witnesses of this work have been disclosed and asked leading questions but do not support the facts of the plaintiff. Private witnesses on record do not corroborate this matter but the facts do not appear that the government employees of this matter also fully support the facts of the complainant. Evidence of all police officers who were present at the incident site these testimonies taken on purpose do not fully corroborate the action taken as part of their duty on the spot in their evidence on oath. The complainant and the police witnesses and the investigating officers who were present at the place during the entire incident do not fully support the incident during their investigation in the facts they are stating in their evidence. That fact during their investigation incident do not fully support. This behavior of these saints is worthy of note.

(21) The fact that there is a serious crime proceeding against the accused in the Court based on the serious allegations of taking the Rajdhani Express train with its passengers hostage for 20 (twenty) minutes, it is necessary to present the evidence of the witnesses in the court. In this case, the witnesses are not stating any serious facts in their evidence on oath. In this work, despite the fact that the required C. C. T. V. footage can be obtained from the railway station and the documents regarding the late departure of the train from the railway station master and from different departments have not been captured, the facts show important impairments and deficiencies. In this work, the evidence of the complainant's witnesses does not appear to support the facts of the plaint as stated by the complainant. Although these witnesses are present at all the places as well as the police officers, they do not corroborate the facts of the complaint of the complainant. Although the accused in this case have been arrested from the spot, no attempt has been made to identify the accused, but there is no reason to believe that the complainants in this case are successful in proving the allegations made in this case beyond doubt.

In this work, the facts of the complainant's evidence in support of his submission to the accused in this work (2004) 12 Supreme Court Case No. 398 Chanakaya Dhibar



(deceased) Vs. State of West Bengal and others as well as A. I. R. 1956 Supreme Court Case No. 731 Chikrange Gowda Vs. State of Mysore and 2015(2) Supreme Court Case No.727 South Central Railway Employees Co. O. Society Employees Union Vs. B. Yashodabai and others as well as A. I.R. 1976 Supreme Court Case No. 975 Bhagirath Vs. State of Madhya Pradesh and A. I. R. 1976 Supreme Court Case No.985 Bhagwan Singh Vs. State of Rajasthan and A. I. R. 1973 Supreme Court Case No. 2773 Kaliram Vs. State of Himachal Pradesh and A. I. R. 2000 Supreme Court Case No. 53 Kamaksha Rai and another Vs. State of Uttar Pradesh and A. I. R. 1999 Supreme Court Case No. 1709 Vs. State of Uttar Pradesh. When taken into consideration the guiding principles laid down in the Judgments in Motiram and others, it follows that while the prosecution is not entirely successful in proving the allegations leveled against the complainants in this case, there are important lapses and defects in the evidence of the complainant in this case as well as in the investigation of this case it appears. If it is found that there are important flaws and defects in the evidence of the complainant party as well as in the investigation of this work, then the Honorable Supreme Court and the Honorable Courts should give the benefit of such doubts and flaws and defects to the accused as per the guiding principles laid down by many judgments. According to those principles, I am of the opinion that the benefit of the

defects and damages arising out of this work is also entitled to be given to the accused of this work.

Considering all the above facts and reasons, the answer to issue No.-1 is decided in the negative, as well as issue No. – 2 The following final order is made in return.

**∴ FINAL ORDER ∴**

- 1) Ahmedabad Railway Police Station First F. I. R. No. - 8/2017 Deed No. - 1) Jigneshbhai Natwarbhai Mevani, Age- 35, Res. 104 Chuwadnagar, Rameshwar Char Rasta, Medhaninagar, Ahmedabad, and Accused No. - 2) Rakeshbhai Bhikhabhai Mehria, Age- 34, Res. - 53/1694, Fishnadham Awas, Section- 1, Vejalpur, Ahmedabad, as well as Accused No. -3) Ramanbhai Gandabhai Mehria, Age -57, Res. - Village - Saroda, Dist. - Dholka, Ahmedabad, and Accused No. - 4) Mansukhbhai Shivabhai Mehria, Age- 50, Res. the village- Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No.- 5) Manojkumar Ramanbhai Mehria, Age - 27, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 7) Maheshbhai Dineshbhai Chauhan, Age- 24, Res. Village - Saroda, Sub-Di. - Dholaka, Dist.- Ahmedabad, as well as Accused No.- 8) Ramabhai Becharbhai

Jhala, Age- 53, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No.- 9) Bipinbhai Bhanubhai Pandya, Age- 23, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -10) Ramanbhai Becharbhai Meheria, Age- 48, Res. Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -11) Parshottambhai Cherabhai Mehria, Age- 53, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -12) Haribhai Galabhai Mehria, Age- 57, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -13) Mohanbhai Mithabhai Mehria, Age- 57, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -14) Chhaganbhai Waljibhai Mehria, Age- 58, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -15) Jagdishbhai Ramjibhai Mehria, Age- 34, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -16) Muljibhai Motibhai Makwana, Age- 53, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -17) Rameshbhai Danabhai Jhala, Age- 41, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -18) Bhailal Bhai Tochabhai Jhala, Age- 45, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -19) Gitaben Dineshbhai Mehria, Age- 43, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. -20) Chayaben Jasingbhai Mehria, Age-38,

Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 21) Sarojben Rasikbhai Mehria, Age- 43, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 22) Nayanaben Vijaybhai Mehria, Age- 29, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 23) Madhuben alias Savitaben Maganbhai Jhala, Age- 43, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 24) Jyotsnaben Jagdishbhai Mehria, Age- 33, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 25) Meenaben Bipinbhai Jhala, Age- 37, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 26) Laxmiben Ranchodbhai Mehria, Age- 40, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 27) Dharmishtaben Girishbhai Jhala, Age- 28, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 28) Sushilaben Kirtikumar Jhala, Age- 40, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 29) Kokilaben Khodabhai Mehria, Age- 33, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 30) Sangitaben Manishbhai Makwana, Age- 29, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused No. - 31) Nitaben Bipinbhai Mehria, Age- 29, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, as well as Accused. The people of Ahmedabad are ordered to be given

the benefit of doubt under the Criminal Procedure Code Section - 248(1), of the Indian Penal Code Sections 143, 147, 149, 332, 120(B), and the Indian Railways Act Section 153.

2) Accused No. - 6) Tejashbhai Sureshbhai Mehria, Res. Village - Saroda, Sub-Di.- Dholaka, Dist.- Ahmedabad, It has been ordered to present the charge sheet of the Ahmedabad in the Juvenile Court, but no order is made regarding them.

3) It is hereby ordered to cancel the bail and bond of the accused. In this case the accused has to pay Rs.5,000/- (Rupees in five thousand whole digits) is ordered to furnish surety and bond.

Order dated today. Read, recited and declared under my signature in open Court on the 16th day of Month - January, 2024.

**Dt. 16/01/2024. (PARESHGIRI NATWARGAR GOSWAMI)**

**Place: Ahmedaba. AD.CHIEF METROPOLITAN MAGISTRATE,**

**COURT NO. - 21, Ahmedabad.**

**Code No- GJ 01037.**