

09.12.2011

CS-225/09

Plaintiff's witness

DW-5 Sh. Syed Faizal Huda, Handwriting experts, Chamber No. 322, E Block, Third Floor, Karkardooma Courts, Delhi.

On SA

I am forensic expert and my qualification is BSc (Hons) forensic science from Amity University, Noida alongwith the practical training on forensic science. In the present case, I had taken photographs of admitted signatures of plaintiff which are Ex. DW-5/A1 to DW-5/A6 and photographs of disputed signatures of plaintiff Ex DW-5/D1 and DW-5/D2. CD of photographs is Ex DW-5/A7. My report is Ex DW-5/A, bears my signature at point A on each page.

XXXXx by Sh. V.P. Katiyar Ld. counsel for plaintiff

I am not having any license to practice forensic science. Vol. no license is required and I am competent to give a report U/s 45 of Indian Evidence Act, being expert. It is incorrect to suggest that I am not competent to give evidence in this court. It is correct that signature appearing on Ex. DW-5/A1 to A6 are that of same person. It is correct that in the document Ex DW-5/D1 and D2, there are two headlines in each photographs i.e.D1, D2, D3 & D4, whereas in admitted signature at Ex DW-5/A1 toA6, there are one headlines at point X in each photographs . Vol. Ex DW-5/D1 and D2 contains two headlines but still the document is genuine as it does not contain any line quality defects such as hesitation, tremors, pamposes and concede joining etc. Further since the Ex DW-5/D1 and D2 does not contain single headline, therefore it is not a case of free hand forgery as while imitating admitted signatures a person tries to copy the signatures as far as possible in the same manner, which are there in the admitted signatures. Although it is possible for a person to sign without seeing the signatures of the person whose sign is being forged but in that case, there will be a huge difference in the handwriting characteristic between the admitted signature and the forged signature. It is correct that the word "ma " in Ex Dw-5/D1 at point P there is angular formation in word" ma" whereas in Ex Dw-5/A1 to A6 at point P1, there is loop formation in the word "ma". Vol. this disability is a natural variation in the handwriting of the plaintiff. It is incorrect to suggest that there is no natural variation in the handwriting of the plaintiff in EX

DW-5/D1. It is correct that in the disputed signatures the words are closely touching the headlines whereas it is not so in the admitted signatures. It is correct that in signatures Ex DW-5/D1 at letter "Tha" at point C there is angular formation whereas in the admitted signatures Ex DW-5/A1 at point C1 there is rounded body curvature. Vol. the writer that is plaintiff is in the habit of writing word "tha" in two different style that is angular as well as rounded which is similar in disputed signatures as well as in the admitted signature. It is incorrect to suggest that plaintiff is in the habit of writing word "tha" in two different style that is angular as well as rounded which is similar in disputed signatures as well as in the admitted signature. It is correct that there is a slight difference in writing the word "tha" in Ex DW-5/D1 and D2 at point C2. It is wrong to suggest that such kind of variations occur when maker of the signatures is not conversant with the signatures of the person whose signatures are being forged. It is correct that in the upper stroke over the word "La" there is no loop at point D in Ex DW-5/D1 and at point D1 in DW-5/D2 whereas there is loop in all the admitted signatures at point Y in Ex DW-5/A1 to A6. It is correct that I have not defined upper strokes and headlines in my report. Vol. since these difference were only superficial and minor that is why there is no mention about the same in the report. It is wrong to suggest that these difference were only superficial and minor that is why there is no mention about the same in the report. It is correct that there is a loop in word "Sha" at point E in Ex DW-5/D1 on the top side and there is a hook at point E1 at Ex DW-5/D2. In admitted signature Ex DW-5/A1 to A6, both hook and loop are present in the word "Sha". It is correct that there is no loop present in Ex DW-5/D1 at point F in the word "Sha" at the bottom end. It is correct that there is a narrow cramp loop at point F1 in word "Sha" at Ex DW-5/D2. It is correct that there is loop in admitted signature at point H in the word "Sha". It is correct that I did not define upper body stroke (A kee Matra) in my report with regard to Matra over the word "La". It is incorrect to suggest that I have filed a false report at the instance of defendant as I have received the fees from him. It is wrong to suggest that I can not file CD on record and I was require to file only negatives. I had taken the photographs in the presence of defendant's counsel. It is incorrect to suggest that I had not taken the photographs in the presence of court officers. It is correct that this fact is not mentioned in my report. Vol. I had got my inspection application allowed from this court and thereafter I had taken the photographs. It is wrong to suggest that no permission was taken from the court

before taking the photographs. It is wrong to suggest that I am deposing falsely.

RO&AC

SCJ:RC:Dwarka: New Delhi

Statement of Sh. Naveen Dalal, Counsel for defendant
without oath

I close my DE.

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