

AC No. 08/06

CBI Vs. I. P. Uniyal etc.

25.08.11

DW-1 Sh. Syed Faizal Huda S/o Sh. Syed Ainul Huda, aged 24 years, R/o H-42, Abul Fazal Enclave, Jamia Nagar, Okhla, New Delhi. (on behalf of accused I. P. Uniyal)

On S.A.-

I am a forensic expert and my qualification is B.Sc. (H), Forensic Science from Amity University, NOIDA and M.SC (Forensic Science) from Agra University alongwith practical training on the subjects of forensic science. I have got experience to examine more than 100 cases relating to hand writing and finger prints. I have also appeared in the Court as an Expert and submitted my opinions in many cases.

In this case, I have examined the disputed signatures of Rajeev Kumar appearing on two applications dated 06.06.05 and 14.06.05 Ex.PW9/DA and Ex.PW9/DB at point A to compare with signatures of Rajeev Kumar on Ex.PW1/B at point C on handing over memo and recovery memo Ex.PW2/A at point A available on Court Judicial file. On obtaining court permission, I have taken the photographs of disputed and admitted signatures appearing on the aforesaid documents. I examined scientifically by magnifying lense and computer software adobe photoshop for the preparation of enlargement of the above mentioned disputed and admitted signatures. I have marked the disputed signatures as D1 and D2 and admitted signatures as A1 to A5. After careful examination and comparison of both the sets of admitted and disputed signatures, I have

come to definite opinion that the disputed signatures marked as D1 and D2 have been written by the same person who has written the admitted signatures marked as A1 to A5.

After examination, I have prepared my report containing reasonings and observations and also result of my opinion. The report is Ex. DW1/A which bears my signatures at point A on each page alongwith my stamp. Alongwith report, I am submitting the necessary photographs as said above alongwith CD of negatives which is Ex.DW1/B which bears my signatures at point A and signatures of my brother is at point B.

My brother who is also forensic science expert was also present in the aforesaid examination and the report was signed by him also at point B alongwith his stamp.

The said report was personally typed by me and after reading it, the same was found correct.

XXXXXXBY Sh. S. Krishna Kumar, Ld. PP for the CBI

It is correct that I have given my opinion on being engaged by accused I. P. Uniyal. It is incorrect to suggest that my opinion is not independent.

On Court Question.

I consulted the book of Mr. B. L. Saxena titled as 'Hand Writing Identification, Disputed Documents and Detection of Forgeries'. To best of my knowledge, there are 4-5 books on this subject. I have gone through the books A. S. Osborn titled as 'Identification of Questioned

Documents', M. K. Mehta titled as 'Identification of Handwriting and its significance, Neuton and Baker title I do not remember. I have made the comparative analysis of said books. I cannot say what is the difference in the above mentioned books. The book titled as 'Hand Writing Identification, Disputed Documents and Detection of Forgeries' has given the movement, line quality, speed, skill, style, alignment, slant, natural variation, spacing, size and proportion of the letter, cordination writing muscles and pen scope. These are classified as Class Characteristics or General Handwriting Characteristics.

In the book of Mr. A. S. Osborn tilted as 'Identification of Questioned Documents', apart from other tests prescribed as mentioned above, there are three more tests as shading, pen position and pen pressure have been discussed in detail.

In the book of Mr. M. K. Mehta titled as 'Identification of Handwriting and its significance', apart from other tests prescribed in the other books, has dealt with specific characteristics or individual characteristics/personal writing habit which include formal formation of letter, joining strokes, connective strokes, angular turn, pen operation, position of staff of the letters in respect of other letters. These characteristics are the individual characteristics of the writer and cannot be copied easily by the different writer/author.

I have compared the 14 class characteristics of admitted and disputed signatures and 7 individual characteristics points in between them and found to be similar. All the said 21 characteristics tallied

between the admitted and disputed signatures.

The disputed and admitted signatures did not tally shading, pen pressure and pen position because they are correctly examined in Fountain Pen writing. Both the disputed and admitted signatures were by the use of Ball Pen.

I have compared the following similarities between admitted and disputed signatures.

1. Pen Operation- Letters R, a & j are correctly written in one pen operation in both admitted and disputed signatures.
2. Letter R- In this letter, the staff of the letter is written in retrace stroke manner in both admitted and disputed signatures.
3. Letter a- This letter makes mostly open body oval and its terminal stroke is joined with upper staff of letter j in D-1 and A series.
4. Letter j- The manner and execution of letter j in which there is no curve formation at the body of staff in D-1 and A1 to A5 signatures.
5. Letter i- It is written singularly with well placing of circular dot in D-1 and A series.
6. letter b- It is also written singularly with simple body formation without making any note at the initial and terminal end in D-1 and A series.
7. Final letters- The scrip of these letters are not clearly deciphered due to presence of cursive style of writing. These letter are written in combination of each other and form zig zag stroke formation of manner in D-1, D-2 and A series. The pen operations are also similar in these letters.

8. Disputed signatures mark D1 and D2 have been written in cursive style and no line quality defects such as tremors, hesitation, concealed joining, patching of the strokes, unnatural pen pause, pen lifts etc. are observed in them. The letters of word 'Rajeev' are clearly written in D-1 signature (as to the admitted signatures) but not in D-2 signatures which may be due to presence of varying degree of natural variation, different sitting postures and supporting surface.

Further cross examination is deferred for want of time.

RO & AC

(P.S. Teji)

Judge Incharge-KKD

Special Judge-CBI

KKD Courts, Delhi/25.08.11