

AC No. 08/06

CBI Vs. Indira Prasad Uniyal etc.

27.08.11

DW-1 Sh. Syed Faizal Huda (recalled for further examination from 25.08.11)

On S.A.

I have compared and examined the 14 class characteristics or general characteristics of hand writing between the disputed and admitted signatures and described as under:

1. Movement- The manner in which finger, hand, forearm and whole arm moved to produce a writing is called movement. The disputed and admitted signatures have been written with wrist cum forearm movement due to the presence of fair degree of writing speed, fine edges of strokes and well define formation of letters.
2. Line Quality- It refers to the character and quality of line due to the presence or absence of line quality characteristics such as pen pauses, pen lifts, retouching etc. These characteristics are examined and compared between the disputed and admitted signatures. If these characteristics are present in the signatures then line quality is defective. If these characteristics are not present, the line quality is smooth and perfect. In this case, line quality is smooth, fluent and flowing due to absence of unnatural pen pause, pen lifts and tremors with well graded strokes.
3. Speed- Writing speed cannot be determined by any instrument rather it

can be judged by the nature and quality of strokes. Speed is rapid in disputed and admitted signatures due to well defined curves and angles of the stroke of the letters.

4. Skill- The skill of a person depends upon his initial training. It may be superior or inferior. A person with inferior skill cannot imitate the writing of superior skill person. In this case, the skill is superior in both disputed and admitted signatures.

5. Style- It may be classified as linear, oval, rounded or angular. The style is angular, rounded, flying and speedy in both disputed and admitted signatures.

6. Shading pen pressure and pen position- I have discussed these characteristics in statement recorded on 25.08.11.

7. Alignment- The relation of the letters, words or signatures with actual or imaginary baseline is known as alignment. The alignment habit is ascending as well as straight in D and A series.

8. Slant- The inclination of the letters or their strokes with an actual or imaginary baseline is known as writing slant. The letters of disputed and admitted signatures show backward as well as vertical degree of slant.

9. Natural variation- When a person writes his signatures again and again, there is slight divergence in angle, curves, loops are always present in his hand writing. These slight divergences are known as natural variations and are the evidence of genuineness. In this case, disputed and admitted signatures shows more natural variation with each other due to presence of cursive style of writing.

10. Size and Proportion of the Letters- Some writers are in the habit to write some letters shorter and longer with respect to other letters and this habit remains persistent and may be useful in the detection of forgery. This characteristic feature is more valuable in trace forgery due to the mathematical similarity of the strokes between the disputed signatures. In this case, the size and proportion of the letters is relatively similar in their proportion in both disputed and admitted signatures.

11. Spacing- It can be examined in three ways ie spacing between the words, spacing between the letters and spacing between the lines. In this case, the spacing between the letters and strokes is fairly uniform in both disputed and admitted signatures. Letter 'v' and 'i' are written singularly in D-1 and A series and letters of word 'Kumar' are written in continuation manner in D-1, D-2 and A series.

12. Disguise- When a person tries to change the original writing, then this is called disguise handwriting. A person, however, skilled cannot effectively disguised of the characteristic of handwriting or about which he is not very familiar. There is no evidence of disguise in disputed and admitted signatures.

13. Co-ordination of writing muscles- There is perfect co-ordination between both disputed and admitted signatures due to fair degree of skill and rhythm.

14. Pen Scope- It refers to the distance travel by the pen from one point to other point without changing the pivot. In this case, the pen scope is extended in between the disputed and admitted signatures due to

presence of wrist cum forearm movement.

The above class and individual characteristic features shows similarities of individual habit between disputed and admitted signatures. The above similarities are significant and quite clear to establish that the disputed signatures have been written by the same writer. The above noted similarities are fundamental and indicates same writer.

Disputed signature marked as D-2 shows more natural variation with the admitted signatures marked as A-1 to A-5 due to the presence of more natural variation of cursive style of writing. It may be either due to different sitting postures or writing support or lighting condition etc. Dissimilarity in the present case are superficial and refers to as natural variation.

There is no criteria about the 100% correctness of handwriting comparison. Though, to the best of my ability, I have tried to opine in the present case. The comparison is not an accurate science. Two things are very important for the purpose of handwriting comparison. Firstly, smooth and perfect line quality should be checked between the admitted and disputed signatures on the enlarged photographs. Secondly, individual or way of placing or connective strokes between the letters in relation to each other. Both admitted and disputed signatures are as per the above mentioned criteria which is necessary for comparison and apparently, appears to be of same person.

RO & AC

(P.S. Teji)
Judge Incharge-KKD
Special Judge-CBI
KKD Courts,Delhi/27.08.11