

CBI CASE No.16/08
CBI Vs. Sushil Kumar Sharma & Ors (NTPC CGHS)

07.02.13

Present: Sh.N P Srivastava, Ld.Public Prosecutor for
CBI.

A-5 already discharged.
Remaining accused persons on bail.

Sh.R P Shukla, Advocate for A-4.

PW-16/Jai Nath; PW-17/Krishna Kumar and
PW-18/Dharam Pal have been examined and discharged.

There is no other witness present or summoned
for today. Accordingly, matter is adjourned for further PE on
12th and 19th March, 2013.

(R.P.PANDEY)
SPL.JUDGE : CBI ROHINI COURTS
DELHI

CBI CASE No.73/08
CBI Vs. E Krishnamurthy & Ors.

07.02.13

D7W.1 Sh.Syed Faizal Huda son of S A Huda, Age-26 Years,
R/o-H-42, Abul Fazal Enclave, Jamia Nagar, Okhla, Delhi.
On SA

I am a Forensic Expert running the profession along with my brother, namely, Syed Faisal Huda. Our qualifications are B.Sc (H) Forensic Science from Amity University, Noida and M.Sc, Forensic Science from Agra University along with practical training on the subject of Forensic Science. We have submitted opinions in more than 275 cases in various Hon'ble Courts of Delhi and NCR and also appeared as an expert witness in various Hon'ble Court.

In this case we have taken the photographs of disputed and specimen figures from judicial file of this court on 05.12.12 with the permission of Hon'ble Court. After careful examination and comparison of both the admitted

and specimen figures marked as D1(A) and D1(B) and S-1 to S-5, we are of the opinion that the aforesaid figures have not been written by the same or one writer. My report is Ex.D7W.1/A running into 6 pages which bears my signatures at points A on each page along with official seal. My brother's signature with official seal are appearing at point B on each page.

I had taken photographs of the disputed handwriting which is a document already Ex.PW-8/JJJJ (D-100) and the enlarged photographs of disputed handwritten figures at points A & B on said Ex.PW-8/JJJJ are now marked as Ex.D.7W1/B and Ex.D.7W1/C respectively which are part of my report.

I had taken photographs of the specimen handwritings which is a document already Ex.P-64 (D-213) bearing no.S-80 to S-83 and the enlarged photographs of specimen handwritten figures of the same are now marked

as Ex.D.7W1/D to H. I have also filed a CD on record containing the photographs which is marked as Mark D. 7W1/J. The sheets on which these photographs and CDs are attached are also bearing signature and seal of myself and my brother at points A & B respectively.

After comparison of exhibits I have concluded in my final opinion that the disputed figures have not been written by the same person who has written the specimen figures as above.

**XXX BY SH.N P SRIVASTAVA, LD.PUBLIC PROSECUTOR
FOR CBI.....**

I have rendered opinions to the private persons at their request after scientifically examining the exhibits. I charge professional fee for giving my opinions. The charge depends upon the volume of work involved. I have charged Rs.4,000/- for giving expert opinion in this case. I am not an income tax assessee. I also give opinion about the

handwriting comparisons on the basis of photocopies of the documents. It is correct that I have not taken photographs of figures available at S-79 of Ex.P-164. I have compared the disputed handwritten figures from specimen handwritten figures on Ex.S-80 to S-83 of Ex.P-164 only. It is wrong to suggest that I did not deliberately take photographs of the figures available at S-79 of Ex.P-164 for comparison, as the same are matching with disputed handwritten figures. The client i.e accused/Jitender Gupta has borne my travel expenses for visiting the court whenever I attended the court for purpose of giving opinion in this case. It is wrong to suggest that I am deposing falsely in favour of Jitender Gupta at his instance or that my opinion is procured one.

XXX BY SH.A C DAVID, COUNSEL FOR A-1/E KRISHNAMURTHY...

I am rendering opinions for last more than 3 years. I do not recollect as to in how many cases I have been

examined as expert witness in which I have given expert opinion. I maintain record of the cases in which I have appeared as expert witness. I have not brought those records today. I can produce the same if so directed. I have appeared as expert witness in near about 50 cases. I do not know from which institution the AMITY University has been recognized or authorized to carry on education of B.Sc (H) Forensic Science. I do not know if B.Sc(H) Forensic Science of AMITY University is not recognized by any authority. It is correct that AMITY University is a private university.

Ques.: Whether in about 50 cases where you appeared as a witness in the courts of law for giving expert's opinion, in any case you have opined against the interest of the client who had engaged you for giving opinion for consideration?

Ans.: I only give expert opinion and I am not aware what was the interest of the clients who engage me for giving opinion in those cases.

It is wrong to suggest that I am not aware about this fact. It is wrong to suggest that I have given opinion only in order to suit my clients in those cases including the present case. It is wrong to suggest that I have no proper knowledge or expertise or experience of this field of profession. It is wrong to suggest that I have given procured report at the behest of accused/Jitender Gupta.

**XXX BY REMAINING ACCUSED PERSONS/THEIR
LD.COUNSELS....**

NIL (OPPORTUNITY GIVEN)

RO&AC
07.02.13

(R.P.PANDEY)
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