

CC No. 2067/1/06.

Rameshwar Lal

VS Deepak Kumar.

07.11.2012.

DW4: Statement of Sh. Sayed Faizal Hudda S/o Sh. S A Hudda R/o H-42, Abdul Fazal Enclave, Jamai Nagar, Okhla, New Delhi aged about 26 years.

On SA

I am a forensic expert and my qualification is B. SC (H) in Forensic Science from Amity University, Noida and M. Sc. (H) Forensic Science from Agra university along with practical training on the subject of Forensic Science. I have submitted opinion in more than 240 cases and appears as an expert witness in various Hon'ble courts of Delhi. In this case, I have scientifically examined and compared the English writing and figures appearing on cheques Ex. CW1/3 and Ex. CW1/4 and compared with the specimen samples. My report along with enlargements is Ex. DW4/1 & Ex. DW4/2. The report bears my signatures at pt A along with my stamp on each page.

XXXXXX By Sh. K K Arora , counsel for the complainant.

I had taken one to two day's time to prepare my report Ex. DW4/1 and Ex. DW4/2. I had prepared these report at my residential office. The comparison of the documents, as stated in my report was done at my residence. At the time of comparison, the original documents were not in my possession. I have prepared the report on being asked by the accused to do

so. I had carried out the comparison on the basis of the photocopy of the disputed cheques, provided to me by the counsel for the accused and the specimen handwriting provided to me by the accused. The accused had handed over photocopies of two cheques for comparison. Before submitting the report in the court, I had provided the copy of the same to the Ld. counsel for the accused. The only instruction given to me was to confer the admitted and disputed handwriting. I was given any other details of this case. Scientifically handwriting of a person can be compared with the disputed handwriting even when the disputed handwriting is provided in the form of a photocopy. It is correct that at the time of carrying out the comparison, I only had the photocopies of the cheques in my possession. Voln., I had seen the cheques while inspecting the file. At the time of inspecting the file, I only had the magnifying glass in my possession. I had no other scientific equipment with me at that time. I had given the opinion with the regard to different ink being used by seeing the ink through magnifying glass which I had brought with me. The opinion of the ink through magnifying glass can only be a preliminary observation. It can not lead to a final conclusion. For the same, further scientific investigation is required. It may be possible that my opinion with regard to different ink being used may not be correct. I could not have compared the pen pressure on the basis of photocopy provided to me. It is correct that while making this report, I did not compare the pen pressure. It is possible to reach to a definitive conclusion with regard to movement/ line quality while comparing with a photocopy. On enlarged photographs everything is clear. It is wrong to suggest that on the basis of a photocopy, the opinion with regard to genuineness of handwriting can not be

given. I have always appeared as a handwriting expert on being engaged by a party. The photocopy of the cheque which was the basis of my comparison was handed over to me in April, 12 at Tis Hazari.

Que. Why despite having an opportunity you did not take the photographs of the disputed documents from the court file and rather, relied upon a photocopy of the disputed documents which may or may not lead to conclusive findings?

Ans. The day I inspected the file, the court was on leave.

Que. What stopped you from seeking the permission from the Link court to take the photographs or to come to this court on a subsequent date to take permission to take the photographs or did you even seek this permission from the Link court and it was declined?

Ans. No. I did not come to the court at a later stage because in my opinion a conclusive result can be given on basis of the photocopy.

Que. Can you support the opinion given in your aforesaid answer by any forensic book or theory proved to be correct?

Ans. No. I can not produce any such book or name any such author who would agree with my opinion that a definitive opinion can be given on the basis of the photocopy.

Que. You inspected the file on 28.04.12 for comparing the documents but you prepared the report on 03.04.12. Can you explain?

Ans. It is a typographical error. The report was prepared on 03.05.12. I can produce the log of my computer to show that this report was prepared on

03.05.12 and not on 03.04.12.

Apart from the date of preparation of this report, there is no other typographical error in my report. It is wrong to suggest that I had prepared a false report in order to create a defence of the accused because the accused had hired me and paid me.

RO & AC

(PARVEEN SINGH)

ACJ-cum-ARC (North West)

Rohini Courts, Delhi/07.11.2012