

CC No.4156/10

12.04.2012

DW-3: Handwriting Expert M. Syed Faisal Huda, S/o Sh. S.A. Huda, R/o H-42, Abul Fazal Enclave, Jamia Nagar, Okhla, New Delhi.

On S.A.

I am forensic expert and my qualification is B.Sc (H), Forensic Science along with the practical training on the subject of forensic science. I have appeared more than 175 cases related to handwriting and finger print in various courts of Delhi as well as other states. In this case I have taken the photographs of admitted and disputed signatures on court file on dated 07.03.2012. I have been scientifically examine following sets of signatures, the details are mentioned in my report and my definite opinion is that the disputed signature marked as D1 has been written by the same person who had written the admitted signature Marked as A1 to A5. My report is hereby exhibited as Ex.DW3/A(collectively for 11 pages along with one CD).

XXXXXX deferred at the request of the Ld. Counsel for the complainant till 02:00 pm.

RO & AC

(GAJENDER SINGH NAGAR)
MM/EAST/KKD/DELHI
12.04.2012

CC No.399/10

12.04.2012

DW-1: Sh. Bijender Jain, S/o Sh. Balbir Singh Jain(recalled for cross examination).

On S.A.

XXXXXX by Sh. Ld. Counsel for the complainant.

Ex. DW1/2 which is called advance registration form was executed at the time of taking cheques from the investors and it was similarly done in the present case as well. It is correct that cheque in question has nothing to do with the Shri Vardhman Developers. It is correct that it was given by the accused in his personal capacity. It is correct that I have not filed any document to show that any brokerage was given to the accused. Vol. As no brokerage was given to the accused. For the investment of the complainant no brokerage was ever given to the accused Gaurav Jain.

At this stage an altercation has occurred between the counsels thus further cross examination is not possible at this stage.

XXXXXXXXX deferred.

RO & AC

(GAJENDER SINGH NAGAR)
MM/EAST/KKD/DELHI
12.04.2012

CC No.4156/10

12.04.2012

At 02:40 pm

DW-3: Handwriting Expert M. Syed Faisal Huda, S/o Sh. S.A. Huda, R/o H-42, Abul Fazal Enclave, Jamia Nagar, Okhla, New Delhi.

XXXXXX by Sh. Charan Jeet, Ld. Counsel for the complainant.

It is incorrect to suggest that I have not followed all the parameters which are required to be followed to examine admit signature with the disputed signature i.e. movement, line quality, speed, skill, style, shading, position of pen and its pressure, alignment, slant, natural variations, size and proportions of letters, spacing and coordination of mussels. It is correct that the opinion of some other handwriting expert may be differ from mine. It is correct that I am providing services of handwriting / signature verification, fingure print variation and cross examination preparation in medico legal cases.

Question: Is it correct that you are expect and know the technique how to demolish the statements as you are providing the services of preparation of cross examination in medico legal cases?

Ans. I try my level best to provide best services to my client, some time they may result in demolition of statement of some witnesses.

Question: I put to you that you have presented the present report exhibited as Ex. DW3/1 in connivance, collusion and on the instruction of the accused as the service charges has been paid to you to present the report in his favour?

Ans. It is incorrect. I always maintain utmost loyalty and fairness in the matters undertaken by me.

Question: Is it correct that a person when signs in his writing the mussels, hands, fingures etc work on the instructions received to organs of a person from his mind to sign in same manner repeatedly from time to time?

Ans. Yes.

Question: Is it correct that a person when forges signature of some other person there is found lack of coordination between mussels and instructions from mind, which shows the intentional and deliberate efforts while signature were forged. Despite number of similarities in forged signature with that of

question of disputed signatures?

Ans. It is correct that at the time of forgery the coordination of writing muscles is not as good at the time of natural writing because its difficult to adopt writing habit of some other person.

Question: I put it to you that you have not adopted the standards of forensic science to present your opinion and present report Ex. DW3/1 as admitted by you in your examination in chief?

Ans. It is incorrect.

It is correct that I have shown admitted specimen of signature in my report in enlarged size which have been shown as A1 to A5 whereas the disputed signatures have been shown by Mark D1. It is correct that the way of formation of shape of letter () in Mark A1 to A5 i.e the admitted signatures of the complainant shows the same pattern of formation of letter ().

Question: I put it to you that shape of letter () on admitted documents A1 to A5 is different from the shape of letter () on disputed signature shown in Mark D1.

Ans. As per my opinion the shape of word () on admitted as well as disputed signature is same and whatever may be the variation its fall in the category of natural variations.

Question: Why is it so that this natural variations is not apparent in five different admitted signatures from A1 to A5 but it is therein disputed signature Mark D1 as submitted by you?

Ans. It is incorrect.

Suggestion: It is incorrect that disputed signature Mark D1 shows natural variation in comparison of admitted signature Mark from A1 to A5, however disputed signature D1 shows intentional and deliberate efforts of some person who may be an expert knowing all characteristics of writing style for favoring the accused. It is also incorrect that I am also extending help by way of favoring the accused who has produced me for presenting the present opinion on disputed signatures referred D1.

It is correct that in admitted signatures A1 to A5 there is similarity, same regulatory, simatory, same gaping, same skill, same style and same alignment is visible with natural variations. Even the gap / proportion / ratio are also same. It is incorrect that disputed signature referred D1 does not show

same gap, style formation as visible in signatures referred as admitted from A1 to A5. It is incorrect that in admitted signatures referred A1 to A5 the matra of "AE" - () are written in one pen operation without picking the pen in formation of the matra "AE" - (). whereas in A1, A2 & A5 are written in one pen operation while A3 & A4 are written in two pen operation.

Suggestion: it is incorrect that the formation of matra "AE" () is in two pen operations and it is also incorrect that I am deposing falsely.

Question: Can you justify your opinion regarding the formation of matra "AE" in A3 & A4 as to on what basis you are claiming that formation of matra has been done in two operations though it is not visible from the specimen in A3 & A4?

Ans. Because matra "AE" is joined in continuation manner with the staff of letter () in A1, A2 & A5 but in matra "AE" on A3 & A4 there is gap between the staff the letter () and matra.

Question: I put it to you that the formation of matra in disputed signature D1 does not show formation of matra in one pen stroke in continuity thus it shows the deliberate effort to forged the signatures to favour the accused?

Ans. It is incorrect.

Question: Is it possible that an expert can forge signature of a person?

Ans. No. its not possible.

Suggestion: It is incorrect that it is quite possible that an expert who is well aware about the all characteristics of handwriting can forge the signature of any person being expert or this field i.e. forensic science.

Question: I put it to you that you have failed to give an opinion being an expert in respect of shading of letter "JA" () referred D1 as disputed signatures?

Ans. It is correct that I have not given report about shading but in my report on page no.4 in para no. 6 titled as "SHADING PEN PRESSURE AND PEN POSITION" is can not be examined in ball pen writing.

Suggestion: It is incorrect that I used to submit my report as and when I was appointed as per the instructions and in benefit of persons who used to pay the service charges to me to favour the person producing me to present the report in order to favour him or her.

Question: I put it to you that you have failed to give your opinion in respect of matra "AE" intentionally and deliberately to favour the accused in succeeding his

defence?

Ans. It is correct that I have not given my opinion on matra "AE" in my report Ex. DW3/1. In handwriting examination it is not necessary that every single letter is to be considered separately we can give opinion in respect of entire word together.

Question: Is it somewhere in your subject of forensic science, has it been mentioned that what aspects [i.e. specifically in respect of matra "AE"] should be considered and what not?

Ans. I have no knowledge about this respect.

Suggestion: It is incorrect that I intentionally deposing falsely that " In handwriting examination it is not necessary that every single letter is to be considered separately we can give opinion in respect of entire word together " and I have intentionally not given correct opinion in respect of matra "AE". It is also incorrect that I submit my report on expert opinion in different courts as per the convenience of the person produce to favour the person producing me.

Question: I put it to you that you have not even given the opinion in respect of spacing between the adjacent letters of disputed and admitted signature in accordance with the standard of forensic science?

Ans. It is incorrect. I had given my opinion about spacing at para 11 on page 5 of my report.

It is incorrect that there are variations in disputed signature which have not been opined to justify the report submitted by me in respect of admitted as well as disputed signatures to favour the accused. It is also incorrect that my report has been prepared in bias to favour the accused to succeed in his defence. It is wrong to suggest that I am deposing falsely.

RO & AC

(GAJENDER SINGH NAGAR)
MM/EAST/KKD/DELHI
12.04.2012