



**NATIONAL UNIVERSITY OF STUDY AND RESEARCH IN LAW, RANCHI**

1<sup>st</sup> NUSRL National Trial Advocacy Competition, 2015

and Research in Law

*State of Realkhand v. Mr. Ajay Shakya & Mr. Naman Bhalla*

*In the Court of the Principal Sessions Judge, Ranchi*

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The case is posted for trial on **2<sup>nd</sup> April, 2015**. The laws of *Foland* are in *pari materia* with the laws of India.

**Exhibit 1**

**FIRST INFORMATION REPORT**

(Under Sec. 154 of CrPC)

Ref No.: 143432

G.R. NO. 2018/15

1. District: Rinchi      Police Station: Nangloi      Year 2014  
FIR No 667/14      Date 01-01-15

2. (i) Act      Folandian Penal Code      Sections 302, 120 B, 34, 504, 107

(ii) Act Folandian Arms Act      Sections 27

(iii) Act..... Sections.....

(iv) Other Acts & Sections.....

3. (a) Occurrence of offence:      Day: Thursday      Date from 01-01-15  
Date to 01-01-15

Time Period:      Time from: 9:45pm      Time to: 10:10pm

(b) Information received at P.S.: Date..... Time.....

(c) General Diary Reference: Entry No..... Time.....

4. Type of Information: Written/~~Oral~~:

5. Place of Occurrence: (a) Direction and distance from P.S. 3 K.M. approx towards the north-west.

(b) Address.....  
.....

(c) In case, outside the limit of this Police Station, then:

Name of P.S..... District.....

6. Complainant /Informant:(a) Name: Aditya Raizada      b) Father's/Husband's : Ramseh Raizada

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(c) Date/Year of Birth: 20-09-1971 d) Nationality: Folandian

Date of Issue.....Place of Issue.....

(f)Occupation: Businessman

(g) Address 1, Tanke Colony, Rinchi

7. Details of known/suspected/unknown accused with full particulars: (Attach separate sheet, if necessary)

(1).....

(2).....

8. Reasons for delay in reporting by the complainant / informant.....

9. Inquest Report/ U.D. case No. / if any .....

10. Action taken/Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2. :

(1) Registered the case and took up the investigation or

(2) Directed Sh./Smt./Km.(Name of I.O) Rajeev Shekhawat Rank Sub-inspector No. 123 to take up the Investigation or

(3) Refused investigation due to.....or

(4) Transferred to P.S.....District..... on point of jurisdiction.

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost.

R.O.A.C.

Sd/- (Rajeev Shekhawat)

Signature of Officer in charge, Police Station

11. Signature / Thumb impression Name.....of the complainant / informant.

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Physical features, deformities and other details of the suspect/accused : ( If known / seen )

Serial No.	Sex	Date/Year of Birth	Build	Height (cms)	Complexion	Identification Marks
1.	2.	3.	4.	5.	6.	7.

Deformities	Teeth	Hair	Eyes	Habit(s)	Dress
8.	9.	10.	11.	12.	13.

Language	Place of				
	Burn Mark	Leucoderma	mole	Scar	Tattoo
14.	15.	16.	17.	18.	19.

These fields will be entered only if informant gives any one or more particulars about the suspect/accused.

**STATEMENT OF THE INFORMANT**

**PW- 1: Mr. AdityaRaizada (Informant)**

**Sex:** *Male*

**Age :** *34 years*

**Occupation:** *Businessman*

**Statement:** I am Aditya Raizada, S/o Ramesh Raizada, residing at 1, Tanke Colony, Rinchi. In 2008, Nitin and I, we both started a logistic firm by the name of *M/s Forever Ready* in the city of Rinchi. In a matter of few years, we managed to ace the market and our business was at its peak. Nitin was elder to me thus owning 70% of the total assets of the company, while I owned the remaining. We both lived together in *Tanke Colony* and had an amicable relationship. We both used to leave together for our office which is situated in *Kariatu*, Rinchi. We used our *Zero Fonda, AMR (RK 05 Y 2089)* to commute to and fro from our workplace.

Every day at around 9 am in the morning, both of us used to leave residence for our office. The distance of the office from our residence was about 7 kms which covered a 2 km stretch of a national highway (PH-2) and it took us nearly 25 minutes to cover the entire distance.

On 1<sup>st</sup> January, 2015 we had left from our residence to go to our office at around 6 pm in the evening, as on that day the office was closed on account of new years. There was a party at the office from 7 pm. This party was being thrown for the staff.

The party continued till 9:30 pm. Nitin had a few drinks at the party and I being a teetotaller was supposed to drive back home. We generally use to leave the office by 8:30 pm but owing to the celebrations we left at around 9:45pm.

It was freezing cold that night but with no signs of fog. We had approximately driven for around 15 minutes when I heard a bike chasing from behind racing its accelerator. I moved the bike towards the left side of the road to allow the bike approaching from behind to pass.

But in no time they came parallel to us. Suddenly I heard a very loud bang and saw the bike race past us at high speed. The noise shook me. They came close to our bike and the pillion rider shot Nitin (*deceased*) who was sitting behind me. The bullet hit the back right side and went diagonally through the body traversing the lower chest. The incident took place at around 10:02 pm.

I felt a jerk and almost lost control of the bike. I could not notice the number plate of the bike as it was dark and the light of that bike were not switched on. The rider and the pillion rider both were wearing helmets. I turned around and saw my brother bleeding and crying in pain. There was no help available nearby and the nearest hospital was at a distance of 1.7km therefore I sped the bike so as to provide immediate medical aid to my beloved brother.

On the way, when I was about 500 meters away from the hospital Nitin fell off from the bike due to him being unconscious and even I couldn't manage to balance it, eventually the bike crashed. Even I sustained some bruises and injuries.

Two persons came running towards our bike and helped us. One of them removed the bike while the other helped my brother. Fortunately and on my request, one of them had a car. They helped Nitin in order to get him inside the car and we all four rushed to *Seven Flowers Hospital* which was the nearest one.

On reaching the Hospital (*Seven Flowers Hospital*) at around 10:30 pm, I rushed to the Emergency Counter and managed to get a stretcher. The hospitals authorities in the beginning were reluctant to admit Nitin as it would involve the police too. But on my persistent requesta

and of the other accompanists, Nitin finally got admitted after a delay of 10 mins. Nitin was taken to the emergency ward at around 10:45 at night. By the time I could finish off the formalities, Nitin was already declared dead.

The hospital authorities informed the police. The police then arrived at the hospital from the nearest Nangloi Police Station at around 10:55 pm. After that the police asked the two persons who helped us, to accompany them to the place where Nitin fell off from the bike and then subsequently to the crime scene so as to draw the Panchnama. At the crime scene, some blood stains were found on the road, the scraps of which were collected by the police. A cartridge in dilapidated and damaged condition was too collected from the crime scene but the police failed to recover the bullet. One sub-inspector, Mr. *Rajeev Shekhawat* along with three constables did the inspection. After inspecting the crime scene they again asked me to accompany them to the Nangloi police station where Mr. Rajeev himself recorded this statement at around 11:45 pm.

Sd/-

Sd/-

Sub- Inspector

Aditya Raizada

Mr. Rajiv Shekhawat

**Exhibit 2**

*NB. This document will have to be proved and exhibited in evidence by the Prosecution.*

**SCENE OF OFFENCE PANCHNAMA**

**Pancha No. 1**

**Mr. Sukhi Kumar**, age- 27 – *Owner of the Betel Shop*

**Residing at- 10/9, 8<sup>th</sup> Street, Near Seven Flowers Hospital, PH-2, Nangloi Station**

**Rinchi-348001**

**Pancha No. 2**

**Mr. Jagoo Prasad**, age – 32 – *The owner of the vehicle in which the victim was brought to the Hospital*

**Residing at- 68/3, 26<sup>th</sup> Street, Toranda,**

**Rinchi-348001**

We the above named panchas were asked by Mr. Rajeev Shekhawat to accompany him to the crime scene near the Highway, PH-2 , near Nangloi station at 11:10 pm on 01.01.2015. When we reached there with Mr. Rajeev Shekhawat along with the other three constables, they asked us to act as panchas, to which we agreed. We first stopped near the place where the bike was lying. The police thereafter searched the bike for the evidences where they recovered the blood samples of the victim. Some stains were found on the silencer and some on the tail guard. The bike was in a damaged condition with the backlights broken and ample

scratches on it. The police even collected some broken pieces of glass which had fallen off from the indicator lights. Nothing more could be recovered from there and consequently we moved to the place where the victim was shot. It was indeed very dark, with no signs of light on the open stretch of the highway where the incident took place. The police with the help of torch lights searched for the evidences and recorded the same. Some bloodstains were found on the road, scraps of which were collected by the police. Police searched the nearby areas, around the bush, on trunk of trees so that they could get any trace of the bullet. The police tried their best so as to recover the bullet, but they were unsuccessful in their endeavour however a cartridge in a dilapidated and damaged condition was collected from the crime scene. The search continued for sometime without further recovery of any evidence.

*Signed by Sub-Inspector*

*Mr. Ranjeev Shekhawat*

*Signed by Panch No.1*

*Signed by Panch No. 2*

**NUSRL**

**Exhibit 3**

**PW – 2 – Mr. Jagoo – Passerby**

Sex: *male*

Age : *27 years*

Occupation: *Unemployed*

**Statement:** I am Jignesh Patel alias Jagoo, s/o. of Shri Avdhesh Patel. I am a resident of 32 B, Mahatma Gandhi Road, Hari Complex, Rinchi. I am an IAS aspirant and currently unemployed. On the day of the incident I was smoking a cigarette at the betel shop of Mr. Sukhi which is located on the National Highway PH-2. It was around 10:15pm that I saw a bike coming towards me with two persons sitting on it. The pillion rider was leaning forward on the rider and the bike was at a considerably high speed. By the time I could realize the seriousness of the situation I saw the pillion rider fall backward and as a consequence of this the driver lost his control and they crashed. Sukhi and I rushed to help them where I found the pillion rider to be bleeding profusely as he had some sort of injury on his shoulder. The rider too had sustained some bruises and injuries. The rider, who told his name to be Aditya requested me to help him as the person injured was his brother and as per him he was shot on the way. I took my car *Naruti 900, RK 03 H 8375*, and rushed to the nearby Hospital (Seven Flowers), where he was declared as *brought dead*.

**PW – 3 – Mr. Sukhi – Owner of the Betel Shop**

Sex: *Male*

Age : *45 years*

Occupation: *owner of the betel shop at the highway*

**Statement:** I am Sukharam Tirkey alias Sukhi, s/o. of Late Shri. Jitanram Tirkey. I am a resident of Old HB road, National Highway PH-2, Rinchi. I have a betel shop on the National Highway no. PH-2. It was around 10:15pm, when I was making betel for Mr. Jagoo who was standing outside my shop. I noticed a bike approaching towards the shop. The rider looked uncomfortable racing the bike at continual intervals. By the time he could stabilize, the

person who was sitting at the back of the rider fell off from the bike and as a consequence of which the bike crashed hitting the side railings. Mr. Jagoo and I rushed to the spot in order to help them. There were two people on the bike and both had fallen down. I saw that the pillion rider was profusely bleeding and was almost in an unconscious state. The rider, requested Mr. Jagoo and me to help them as the injured one was his brother and as per him he was shot on the way. Mr. Jagoo agreed to help him and rushed towards the hospital nearby. While Mr. Jagoo helped him to place the injured in the car, I quickly locked my shop and after which I went along with them to Seven Flowers Hospital.

**PW – 4 - Dr. Veena Agnihotri, Medical Expert**

Sex: *Female*

Age : *47 years*

Occupation: *Surgeon*

**Statement:** I am Dr. Veena Agnihotri (M.B.B.S), d/o Dr. Nirmal Agnihotri, residing at 23, Vatu Road, Rinchi. I am practising at the Imperial Institute of Medical Sciences, as a Chief Surgeon for the past 18 years.

I was the main coroner in the post mortem examination of Mr. Lt. Nitin Raizada. It is to be noted that according to my knowledge, the body was brought in at around 01:00 am and was declared dead on arrival by the ward boy. I was then called to conduct the post mortem in the subsequent morning, at around 10:00 am. The autopsy began at 10:09 am and it continued till 12:40 pm.

The body at the time of the post mortem had visible injury marks on the right side of the face, right hand, and below the knee joint on the right leg. There was a bullet entrance wound on the back right side of the body. The bullet entered the body by perforating rib cage no. 4. The entrance wound was oval, sharp edged and 8.0mm in diameter. The bullet exited the body after severely damaging the lungs, diaphragm and other vital organs. This led to severe internal bleeding and rupturing of major veins and arteries. The exit wound was cone like in

manner and was formed due to the perforation of the last ribcage on the left side of the body. Upon flipping the body over, there was visible injury at the back side of the head. The visible injury marks were clearly indicating blood clotting and the presence of haemorrhage.

My opinion on the aforesaid cause of death has been duly reasoned in an Autopsy Report. The report has been prepared carefully following the standard procedure and protocol. The report has been duly submitted to the proper authorities.

**PW – 5 - Dr. NamrataReddy , Ballistics Expert**

Sex: *Female*

Age : *51 years*

Occupation: *Ballistic Expert*

**Statement:** I am Dr. Namrata Reddy (M.Sc [Forensic Science]), D/o. of Shri Mudhurkar Rao and W/o. Dr. Samir Reddy. I am a resident of 122, Maulegoan Rd., Vasant Complex, Ranchi.

I am a ballistic expert by profession and has been involved with the Imperial Institute of Close Counter Ballistics and Urban Warfare for the past 24 years of my life. I have specialization in range weapons both prohibited as well as non-prohibited bores like 0 .38 Cal, .30 Cal, .32 Cal and others. I have various different past experiences in helping the police authority in determining the ammunition and handguns used for committing the crime.

The police authority brought two weapons manufactured by Smith and Wessen. The police authority has also recovered an empty shell fired from the crime scene. I was supposed to examine the empty shell along with the two guns which were seized from the accused. I conducted various tests to determine the calibre, the distance of firing and the guns which could have been used to fire the bullet as they were vital in the current investigation. In my tests, I could determine that the bullet was fired from an intermediate range i.e., a maximum distance of 30 cm. The entrance wound was of 80 mm which is caused by a 0.38 calibre weapon. Further details and compliance results has been duly reported in ballistic report.

**PW- 6- Mr. Rajeev Shekhawat – Sub-Inspector (IO), Nangloi Police Station, Rinchi**

**Sex:** Male      **Age :** 47 years      **Occupation:** Sub- Inspector, Nangloi Police Station, Rinchi

**Statement:** I am sub-inspector Rajeev Shekhawat, posted in Nangloi P.S. ,Rinchi. On 1<sup>st</sup> January I got a call from the Seven Flowers hospital at 10:45 pm informing that a person named Mr. Nitin Raizada was shot in his shoulder and was brought to the hospital at 10:30 pm but before he could be admitted he was already dead. I noted down the details in the register and reached the hospital within 10 minutes. Mr. Nitin Raizada was brought by Mr. Aditya Raizada( brother of Nitin) , Mr. Jagoo and Mr. Sukhi. We proceeded towards the crime scene at around 11:30pm and asked my officers to draw up a *panchnama* in front of the said witness i.e. Mr. Jagoo and Mr. Sukhi. I along with three other constables went to the place where the bike was lying and searched the bike for the evidences where we recovered the blood samples of the victim. Some stains were found on the silencer and some on the tail guard. The bike was in a damaged condition with the backlights broken and ample scratches on it. We even collected some broken pieces of glass which had fallen off from the indicator lights. Nothing more could be recovered from there and consequently we moved to the place where the victim was shot. It was indeed very dark, with no signs of light on the open stretch of the highway where the incident took place. With the help of torch lights we searched for the evidences and recorded the same. Some bloodstains were found on the road, scraps of which were collected by us. We searched the nearby areas, around the bush, on trunk of trees so that we could get any trace of the bullet. We tried our best so as to recover the bullet, but were unsuccessful in our endeavours however a cartridge in a dilapidated and damaged condition was collected from the crime scene .We continued the search for sometime without further recovery of any evidence.

I filed an FIR against an unidentified person since Mr. Aditya had no suspects. Mr. Aditya told me that they left their office at 9: 45 pm that night and after driving for about fifteen minutes, they heard a bike chasing them from behind. He moved the bike towards the left side of the road to allow the bike approaching from behind to pass. In the middle of which he suddenly heard a very loud bang and saw the bike race past at high speed. The noise shook him and he felt a jerk and almost lost control of the bike. He could not notice the number plate of the bike as it was dark and the light of that bike was not switched on. He further continued and told me that his brother was shot and was crying in pain. The rider and the pillion rider both were wearing helmets.

On 02/01/2015, at around 5:00 am in the morning, I got a tip from my secret source that four people were loitering around at a tea stall in Kailash Colony which was at a distance of 3.2 kilometres from the crime scene with deadly weapons and their activity was suspicious. On receiving the information, I noted down the information in the register and left for Kailash Colony along with five other police constables in order to apprehend those four people.

On seeing us they got alert and two of them managed to flee but we got hold of the other two. We found few live bullets that had fallen from the pocket of the two who had eloped. The other two were taken into the custody by us. A brand new pistol with a fully loaded magazine was recovered from Naman Bhalla, DW-2, while the other Ajay Shakya DW-1, had a pistol and a magazine from which only one bullet was missing.

On doing a background research of the accused I found one of them to be Ajay Shakya who was an ex- employee of Mr. Nitin Raizada, and he used to trade in illegal arms under the garb of the logistics company, i.e. M/s Forever Ready. Around one week back, i.e on 26<sup>th</sup> December, 2014, Nitin got to know about the evil designs of Ajay Shakya and his illegal

smuggling of weapons which infuriated him and eventually after exchanges of abuses, Nitin fired him from his job.

On further investigation we found that the empty bullet shell which we collected from the crime scene where Mr. Nitin was shot happened to be of a similar calibre as the one we seized from Mr. Ajay Shakya.

On conducting a preliminary research and on the basis of the deposition of Ajay Shakya, I enquired into the office of the deceased and came to know that the statement of other employees corroborated with the statement of Ajay, i.e. the heated argument between Nitin and Ranjit one day. Strangely, on the day of incident i.e. 1<sup>st</sup> January when Mr. Nitin was murdered, Mr. Chaddha was present in the town to attend a friend's reception party on 29<sup>th</sup> December, 2014 who was a resident of *Molkata, West Bengal*. The only ground we had to proceed with the investigation against Mr. Chaddha was that at the reception party Mr. Chaddha again had a quarrel with Nitin and he even went ahead to slap him. Coupled with this he gave him a life threatening too. Another incriminating fact was that Ajay Shakya and Aditya Raizada were too invited to that reception party and were present there. When I investigated more in the matter I came to know that Mr. Chaddha possessed a licensed gun of a similar calibre registered on his name. I even traced the call records of Mr. Chaddha. But due to the lack of conclusiveness of evidences against Mr. Chaddha we were left with no reasonable ground to believe that Mr. Chaddha would be involved in the matter.

In the preliminary stage of investigation itself and as per the deposition of the accused that at the time when the offence took place he was drinking with his friends in Metro Bar. Eventually I along with three other constables went to Metro Bar in order to check the veracity of the statement of the accused. While the receptionist accepted the fact that Ajay along with his friends were present on the eve of 1<sup>st</sup> January, 2015, the waiter who served

them deposed that despite the fact they were present in the bar Ajay left the bar for some time and was absent and then came back again.

The evidences against Ajay Shakya were quite incriminating and in all probability he was the prime suspect. In consequence of this we proceeded with the investigation against him.

**PW- 7 – Anil Sarkar – Waiter at the Metro Bar**

**Sex:** *Male*

**Age :** *55 years*

**Occupation:** *Waiter at the Metro Bar*

**Statement:** I am Anil Sarkar, s/o Satyajit Sarkar , Resident of 67/2, Kathitola, Rinchi. I am a waiter at the Metro Bar. On 3<sup>rd</sup> January, 2015 at around 7:32 pm, I got a call from the reception desk. It was Mr. Mathew who had called me. He told me to report at the reception desk as soon as possible. Since I was serving a table at that time, it took me around 5 minutes. On the reception desk, Mr. Mathew introduced me to Mr. Rajeev Shekhawat who according to him was a Sub-Inspector. Mr. Rajeev then showed me the photographs of two people and I was asked whether they were present there in the bar on the eve of 1<sup>st</sup> January, 2015. Mr. Rajiv further told me that their name was Ajay Shakya and Naman Bhalla. I answered in affirmative and told them each and every thing of which I was aware off. On the day of occurrence I was serving Table No. 21 where the accused Mr. Ajay Shakya along with his two friends was having drinks and snacks. They were enjoying their drinks but Mr. Ajay seemed a bit disturbed as he was fumbling in holding his glass and was a bit restless too. This is a normal thing which you see as a waiter every evening. But his behavior was quite obvious as he kept on insisting to pour some more tomato sauce despite the fact his plate was already full of it. He was sweating like anything. It is worth mentioning that during their stay at the bar Mr. Ajay went outside the Bar for about 40 mins. (appx.). When he returned back,

they paid the bill and gave me a handsome tip of Rs. 200. Apart from this everything seemed normal.

**Exhibit 4**

**AUTOPSY REPORT**

**Autopsy Report No: 2015/234**

**Ref No.15523/A**

Autopsy Authorised By: OC Nangloi PS

Date and hour of receipt of body: 01:00 am on 2<sup>nd</sup> January, 2015

The hour of starting autopsy: 10:09 am

Hour of concluding autopsy: 12:59 pm

Body brought and identified by: Jagoo Prasad and identified by Aditya Raizada

Age: 37

Sex: Male

Height: 171cm

Weight: 72kgs

Hair: Black

Eyes: Black

Built: Medium

**CLOTHING:**

A black leather jacket, blue jeans, white shirt, white undershirt, black belt, size 7 brown shoes, blue boxers, one pair of white socks.

## SCHEDULE OF OBSERVATION

### A- GENERAL

Name: Nitin Raizada

**Special Identification Features:** Black mole near the right elbow joint and near the left chest plate.

**External Appearance:** Well developed, nourished, brown male about 37 years of age. The body is normal and consistent with the age. Tongue is normal in shape and is red in colour.

Total no. Of teeth present are 30.

Presence of evidence of regular shaving. The mouth contains natural teeth

Injuries:

**Head:** severe abrasion in both mandibles, towards the right of the face. Blood loss from the back of the head with signs of haemorrhage and blood clotting.

**Shoulder:** Extensive damage to clavicle, due to bone from scapula being embedded. Scapula has been shattered. Presence of entry and exit holes on the front and the back of the body as illustrated.

**Thorax:** Extensive damage to ribs, particularly, right ribs no. 1,2,3,4 & 6.

**Abdomen:** Hairline fracture in right pelvic bone.

**Legs:** Dislocated patella along with hairline fractures in both tibia and fibula in the right lower knee region. Posterior cruciate ligament is torn.

### **B. HEAD AND NECK**

1. Skull, brain, meninges and cerebral vessels: Severe haemorrhage and blood clotting.
2. Orbital, Nasal and aural cavities: Broken nose bridge
3. Mouth, tongue: Bleeding from tongue
4. Neck, larynx, thyroid and other neck structures: -NA-

### **C. CHEST (THORAX)**

1. Ribs and Chest Wall: Rib no. 1,2,3,4 and 6 damaged
2. Diaphragm: punctured
3. Oesophagus: unremarkable
4. Trachea and Bronchi: damaged
5. Pleural Cavities: damaged
6. Lungs: the right lung has been punctured and the left lung has been scraped near the bottom.
7. Heart and Pericardial sac: the heart weighs 360 grams and is unremarkable
8. Large blood Vessels: ruptured, near right shoulder region

### **D. ABDOMEN**

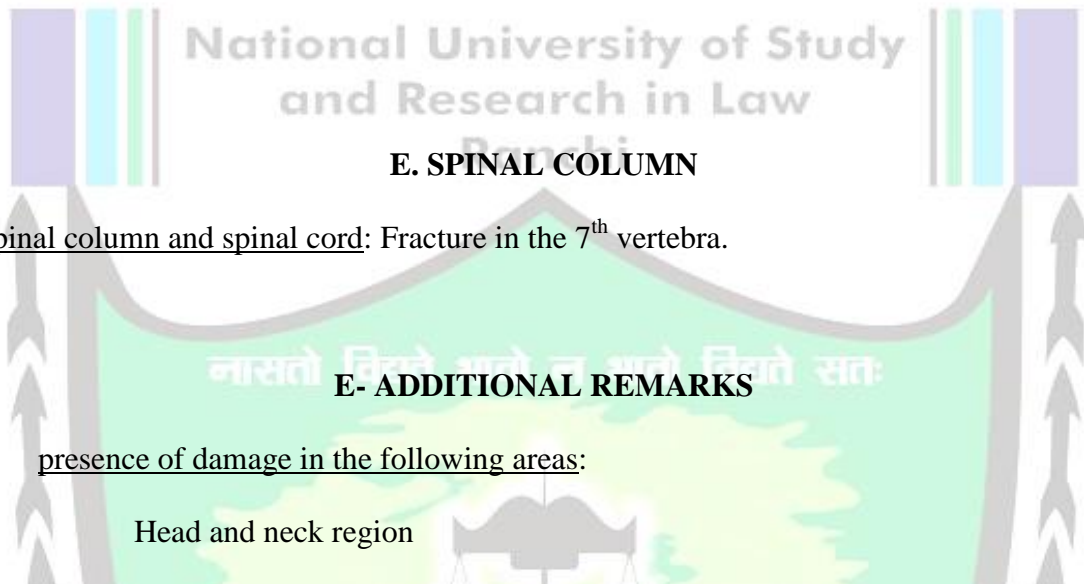
1. Abdominal wall: unremarkable
2. Peritoneal cavity: unremarkable
3. Stomach and content: Semi-dissolved chicken
4. Small Intestine: unremarkable
5. Large intestine, vermiform appendix, mesentery and pancreas: unremarkable
6. Liver, gall bladder, biliary passages: liver weighs 1500 grams and is other wise unremarkable. The gall bladder contains 11cc of bile.
7. Spleen: ruptured

8. Kidney, renal pelvis, ureters: unremarkable

9. Pelvic wall: -NA-

10. Urinary bladder and urethra: -NA-

11. Genital organs: -NA-

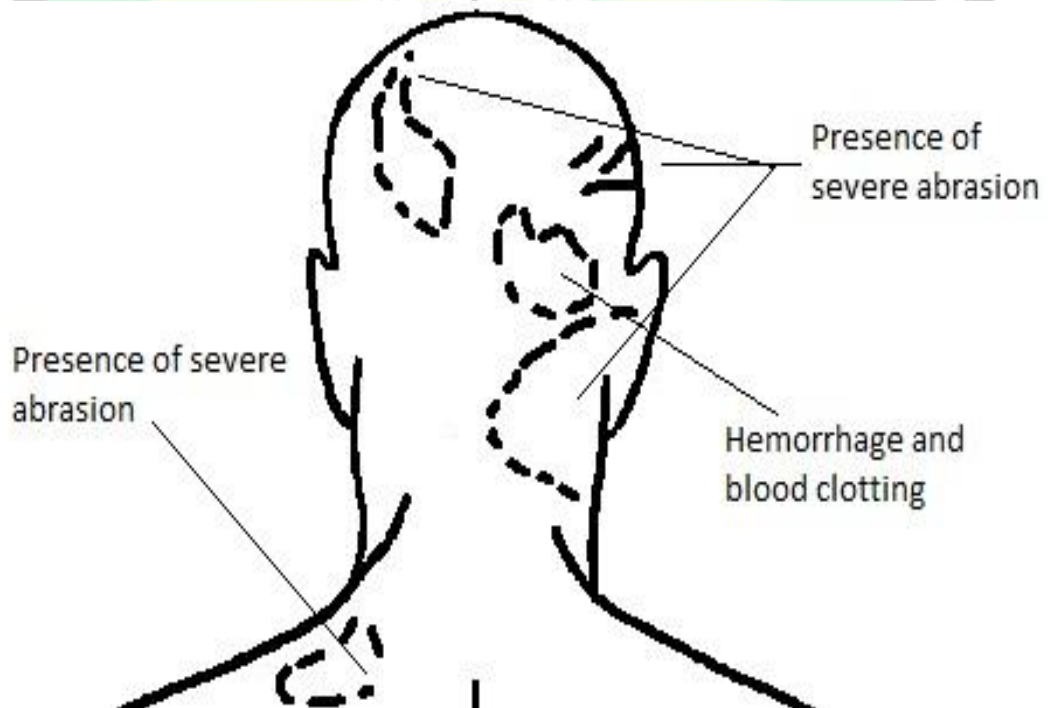


1. Spinal column and spinal cord: Fracture in the 7<sup>th</sup> vertebra.

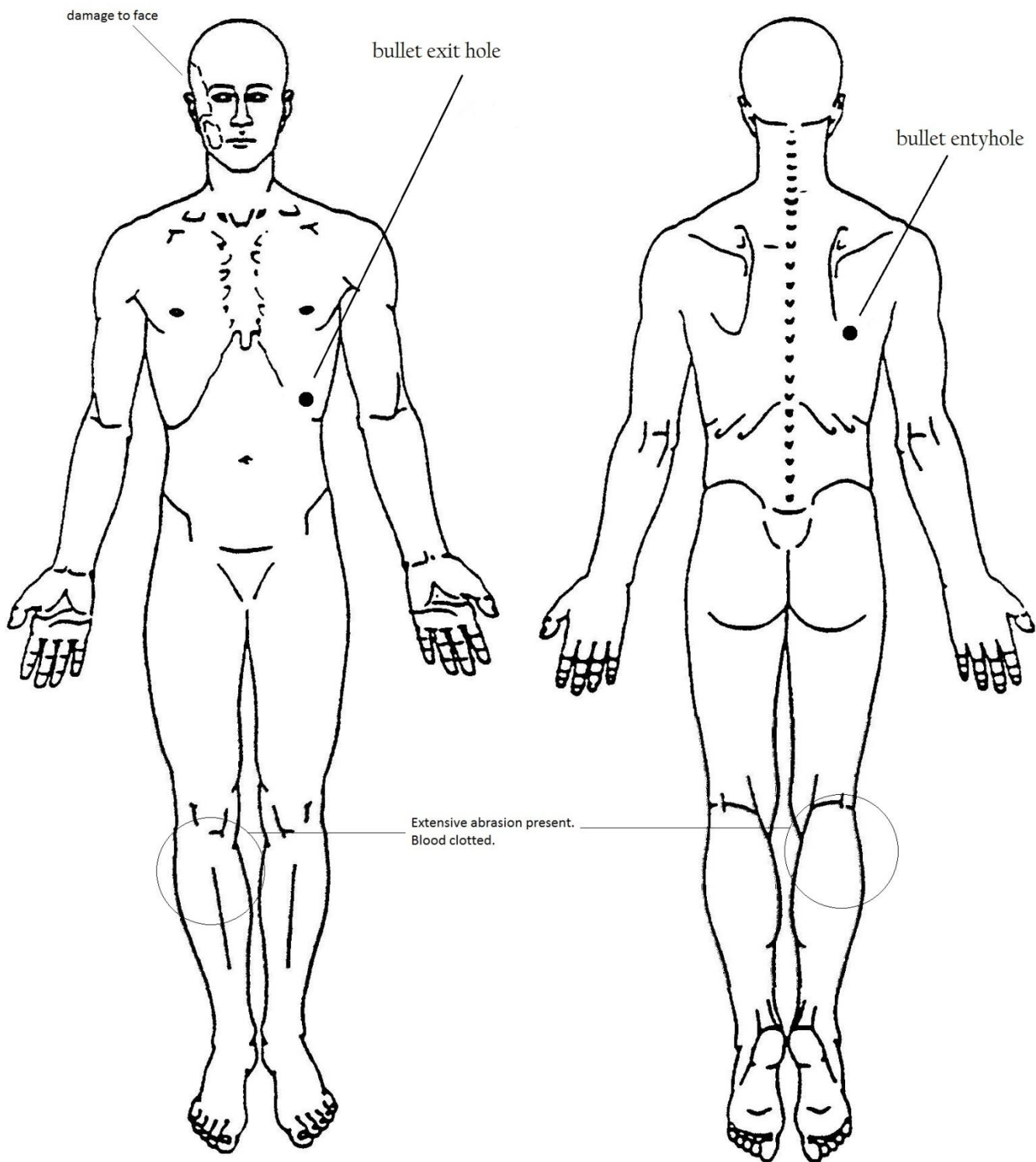
**E- ADDITIONAL REMARKS**

1. presence of damage in the following areas:

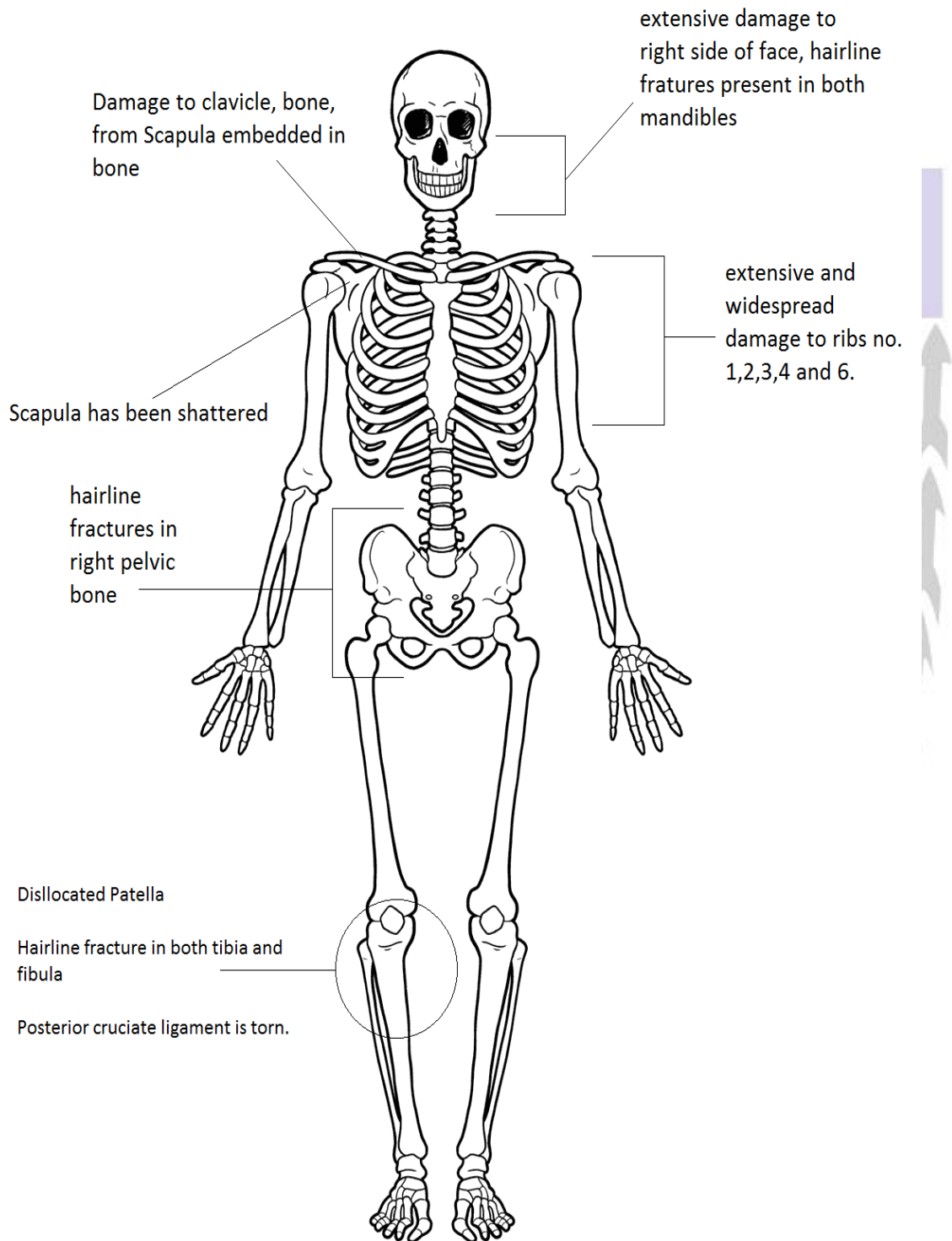
Head and neck region



Bullet entry and exit holes



Damage to bones.



## G. SPECIMEN COLLECTED FOR TOXICOLOGICAL ANALYSIS

Nature of specimen Preserved

1. Stomach with contents: Semi-dissolved chicken.
2. Small intestine and contents: Water with high carbonate levels.
3. Sample of Liver: The liver weighs 1600 grams.
4. Kidneys: -NA-
5. Spleen: Ruptured, nothing found
6. Sample of Blood: Blood group: (AB-), Sugar: 72 mg/dL, WBC Count: 6,500 cells mcL, RBC Count: 4.7 cells/mcL, blood alcohol: 101 mg %.

## H. Evidence of Injury

Apart from the wound in the head, there is one single entry wound and one exit wound on the thorax, as displayed earlier. The entrance wound has powder tattooing which is an ante-mortem phenomenon, there are individual tattoo marks of reddish brown punctuate. Lesions surrounding the entrance wound but the distribution is eccentric to angle punctuate the gun wound is covered with blood and has dense black centre surrounded by lighter grey outer zone with scalloped appearance. Grains of powder are embedded in the epidermis. The exit wound has a cone like appearance and has perforated the bone. The bullet hole and the entrance has a diameter of 0.8mm.

The penetration seems to begin by perforating rib no. 4. Then moves down from the right backside, 5 cm from the spinal cord and escapes on the front left side by perforating the last rib.

## I. Items handed over to Police

1. Post Mortem Report: Yes
2. Dead Body: Yes

3. Viscera, Clothes and articles, if any: Yes

**I. TIME SINCE DEATH :** 12- 13 hours

**J. OPINION: The cause of death to the best of knowledge and belief.**

Excessive blood loss due to gunshot wound of calibre either .30 or .32 in the shoulder region rupturing critical arteries and shattering bones. Damaged ribs, bronchi and ruptured diaphragm leading to asphyxiation, causing unconsciousness. Haemorrhage in the back of the head due to the fall.

**Signature:**

**Sd/-**

**Dr. Veena Agnihotri**

Imperial College of Medical Sciences,  
Lady Wilkerson Memorial Medical College,  
Rinchi University,  
Rinchi 77007  
Foland

**Exhibit 5**

**BALLISTIC REPORT**

**Examination Required**

- Cartridge and shell examination.
- Gunshot Residue and distance determination.
- Examination of firearms

**List of evidence received.**

- 1 empty shell in a dilapidated shape.
- 2 Smith and Wessen revolvers

**Evaluation of firearms.**

- .38 S & Co Smith and Wessen also known as the Saturday night special. A cheap weapon.
- Two such weapon were given for the purpose of testing. One of them has been used once or twice, the other one was new during the time of testing.

**Cartridge and Shell examination.**

- Empty Shell in a dilapidated state which may match to a .38 caliber bullet.
- The shell displays skid marks.
- Non rectilinear motion of bullet due to internal skid of the shell

**Gun residue and Distance determination.**

The test conducted on the wound of the body show that the entrance wound a round to oval shape, sharp edged. With a punched out appearance.. The size of the wound being 8.0mm.

The exit wound is cone like due to perforation of the bones. There is powder tattooing. The distance from the muzzle maybe 30 cm.

No presence of any relevant material on clothing.

In my opinion the after the examination of the shell and the wound the bullet may be fired from:-

Serial No.	Caliber Size	Manufacturer	Direction of turn	No. of Groves
1.	.38 S&W	Smith and wessem	R	05
2.	.38 spewal	Smith and Wessem	R	05
3.	.22S, L,LR	Beretta	L	06

By examining the wound and the empty shell, im my opinion the bullet might be of a .38 or .32 caliber

16<sup>th</sup> January, 2015

Rinchi

Signature

Dr. Narmada Reddy

## Appendix 1

### **DW 1: Mr. Alfred Matthew , Defence Expert**

Sex: male                      Age : 64 years      Occupation: Retired forensic expert

I am Alfred Matthew, S/o Bruce Matthew, residing at 45, Boranda Colony, Rinchi. I am a retired forensic expert who worked at the Imperial Centre of Urban Tactics. I was working for the Forensic wing of the Criminal Investigation Department, Rinchi.

In my professional opinion the ballistics test and the identification of the bore of the weapon cannot be done in a conclusive manner. The wound can be tested for the identification of the make, type and bore of the gun. However for this, the wound needs be studied carefully. In the present case the bullet has not been recovered, and it has struck the victim at an acute angle making an eccentric wound and punctuates abrasions. It is difficult to infer or rely on the ballistic report as a 0.38 calibre weapon generally causes a wound with a dimension of 8.5mm. Further, the powder tattooing effect found on the wound can be obtained from a distance of 15 to 20 feet. Also, the blood on the gunshot wound is a rare occurrence. Lastly, the ballistic report stating that there is no relevant information on the clothing is even more dubious. Further, the autopsy of the body was done after a significant delay. Due to this delay and the nature of the wounds a clear reasoning as to the cause of death could not be found.

### **DW – 2 : Mr. Ajay Shakya (Accused No.1)**

Sex: Male                      Age : 42 years                      Occupation: Supervisor at Construction site

**Statement:** I am Ajay Shakiya, S/o Vinod Shakiya and resident of Kholi 8, Barastoli, Rinchi.

I have a degree of B.Com from the Local College of Commerce, Rinchi. On the 2<sup>nd</sup> of January, 2015, I was having tea, at a Tea Stall in Kaliash Colony with two of my friends,

namely Naman Bhalla, Jai Pradhan and Kailash Nangia. At that point of time we were in possession of some weapons of which we didn't have license for. As we saw the police coming we rushed towards our motor bikes. That is when the police arrested me along with Naman. The rest two got away.

I had a pistol and a magazine for the pistol with one bullet missing whereas my partner was in possession of a brand new pistol from which no bullets was fired till date. My other partners were in possession of some 50 odd bullets some of which fell while they were trying to run away. These were seized by the police. These weapons and bullets were with us as we were planning to sell them. My relationship with M/s Forever Ready was strictly a professional one. I was an employee from the past 5 years and was working with them as a consignment supervisor. Mr. Nitin Raizada was however a very shot-tempered person. He used to ill treat his employees and even misbehave with his clients. Breaking of cups and saucers and hurling abuses on the office boy was a natural phenomenon. It became a natural thing for us and eventually we became habitual to his rude behaviour. But Nitin couldn't realise this that it was only we who were accustomed to his behaviour and not the acquaintances. One day one client, Mr. Ranjit Chaddha came to our office. The purpose of his visit was to have a meeting with Nitin in order to settle a dispute regarding some lost consignment. I saw Nitin grab the collar of Mr. Chaddha, although I could not hear what they were saying as the incident occurred inside the glass chamber of Nitin. In response Mr. Chaddha pointed fingers at Nitin and left the chamber banging the glass door.

On urges from my friends Naman Bhalla I started using my position to start smuggling guns and ammunitions. Mr. Nitin Raizada became aware of this on the 26<sup>th</sup> of December, 2014 and after a big argument he fired me from the job. I haven't spoken or met him since that day.

On 1<sup>st</sup> January, the night on which the said incident took place I was with my friends drinking and celebrating New Year in *Metro Bar*, situated in *Kamal Nagar* at around 9:30 pm.

I accept that I have been associated with smuggling of weapons however I deny the allegations of murder.

**DW- 3 - : Mr. Naman Bhalla, (Accused No.2)**

**Sex:** *Male*

**Age :** *39 years*

**Occupation:** *Unemployed*

**Statement:** I am Naman Bhalla, S/o Akshay Bhalla, Resident of 7 Kipputhana, Rinchi. I was a student of B.Com at the Local College of Commerce Rinchi where I had met Ajay Shakiya and we are friends since then.

On the 2<sup>nd</sup> of January, 2015 I along with Ajay and two other acquaintance were having tea at Kailash Colony, Rinchi. We were in possession of certain weapons for which we didn't have license. We were going to sell this weapons after finding a proper buyer. On seeing the police we tried to run away. But Ajay and I were caught, while the other two escaped. We were in the possession of two pistols. The one I had was unused while Ajay had a pistol which was fired once during the testing. The police seized these and took us to the police station.

I had heard about the Raizadas and the firm *M/s Forever Ready* only from Ajay. I don't have any personal details about them. I heard that on 1<sup>st</sup> of December, 2014 Mr. Nitin had fired Ajay from the job. Initially he seemed a little disturbed about it but after a while he let it go.

I do not have any knowledge whether Ajay or Mr. Nitin had any interaction after this.

**DW – 4 : Mr. Mathew Gonzalves, Receptionist**

**Sex:** Male

**Age :** 39 years

**Occupation:** Receptionist at the Metro Bar

**Statement:** I am Mathew Gonzalves, s/o Nathan Gonzalves, residing at 31/9, 53<sup>rd</sup> Street, Polka Colony, Rinchi. I am a receptionist at the Metro Bar, the address of which is 66, Station Road Palisade Building, Rinchi. My home is at a distance of about 0.5km from the Metro Bar.

On 3<sup>rd</sup> January, 2015, at around 7:30 pm, Sub-Inspector along with three other constables came to Metro Bar for some investigation. The week had been pretty hectic due to New Year's Celebration. The Bar had been doing really well in terms of sales and business. On 3<sup>rd</sup> noon, the police came to the Bar, enquiring about 3 people, which according to them were present in the bar on 1<sup>st</sup> January at around 9:30 pm. They even showed me the photographs of the two. It was almost impossible to recognize a person by seeing his face as that week had witnessed not less than 1000's of customers. I then asked Mr. Rajiv for their names. I was told that their name were Ajay Shakya and Naman Bhalla.

I then pulled out the Entry Register from the rack and checked for their names. On spending good 10 minutes, I somehow managed to trace their name. The Entry was made by the name of "Ajay+2". The in-time showed 8:45 pm and the out-time, 10:20 pm. The date of their entry was 1<sup>st</sup> January, 2015. Mr. Rajiv then hurled a plethora of questions upon me which I was unable to answer as my job was only restricted to making entry in the Entry Register. In fact, I suggested them that they should go and talk to the waiter who attended them.

Our Entry Register even had a column which contains the name of the waiter who serves the respective customer. On checking that, I found that *Anil*, was the waiter who served them on

that night. I then called Anil and instructed him to see me at the reception. Meanwhile the Police asked for a photo-copy of the page of the Entry Register which had their details.

They even asked me for a copy of their invoice/bill to which I duly responded and submitted all to them. Anil took around 5 minutes to come to the reception counter as he was busy serving the customers.

I was already late that day and my shift was already over. I handed over Anil to Mr. Rajiv and told him to cooperate with the police investigation and then left for my home.



**Exhibit 6**

**CHARGESHEET**

*(Under Section 73 Cr. P.C)*

G.R. NO. 2018/15

**FINAL FORM REPORT**

In the court of sessions judge,

1. Dist. Rinchi P.S. Nangloi Year: 2015 FIR NO. 667/14 Date of FIR: 01-01-15
2. Charge sheet No. 234143
3. Date: 01-03-2015
4. (1)Act: Folandian Penal Code, Ss.302, 120 B, 34, 504, 107  
(2)Act: Arms Act S. 27
5. Type of Final Form: Charge sheet
6. If F.R. Un-occurred: X
7. IF charge-sheet: Original
8. Name of the I.O.: Rajeev Shekhawat (Sub-inspector)
9. Name of Complainant / Informant: Aditya Raizada
10. Details of property seized:  
(1)1 (one) Empty Cartridge recovered in a dilapidated state.  
(2)2 (two) Smith and Wessem arms.
11. No. Of accused persons. : 2 (two)
12. No. Of accused persons charge-sheeted: 2 (two)

During the investigation after visiting the hospital, I visited the crime scene and examined the spot.

During the investigation, I have taken several statements u/s 161 Cr.P.C and a I find a strong prima facie case against the accused.

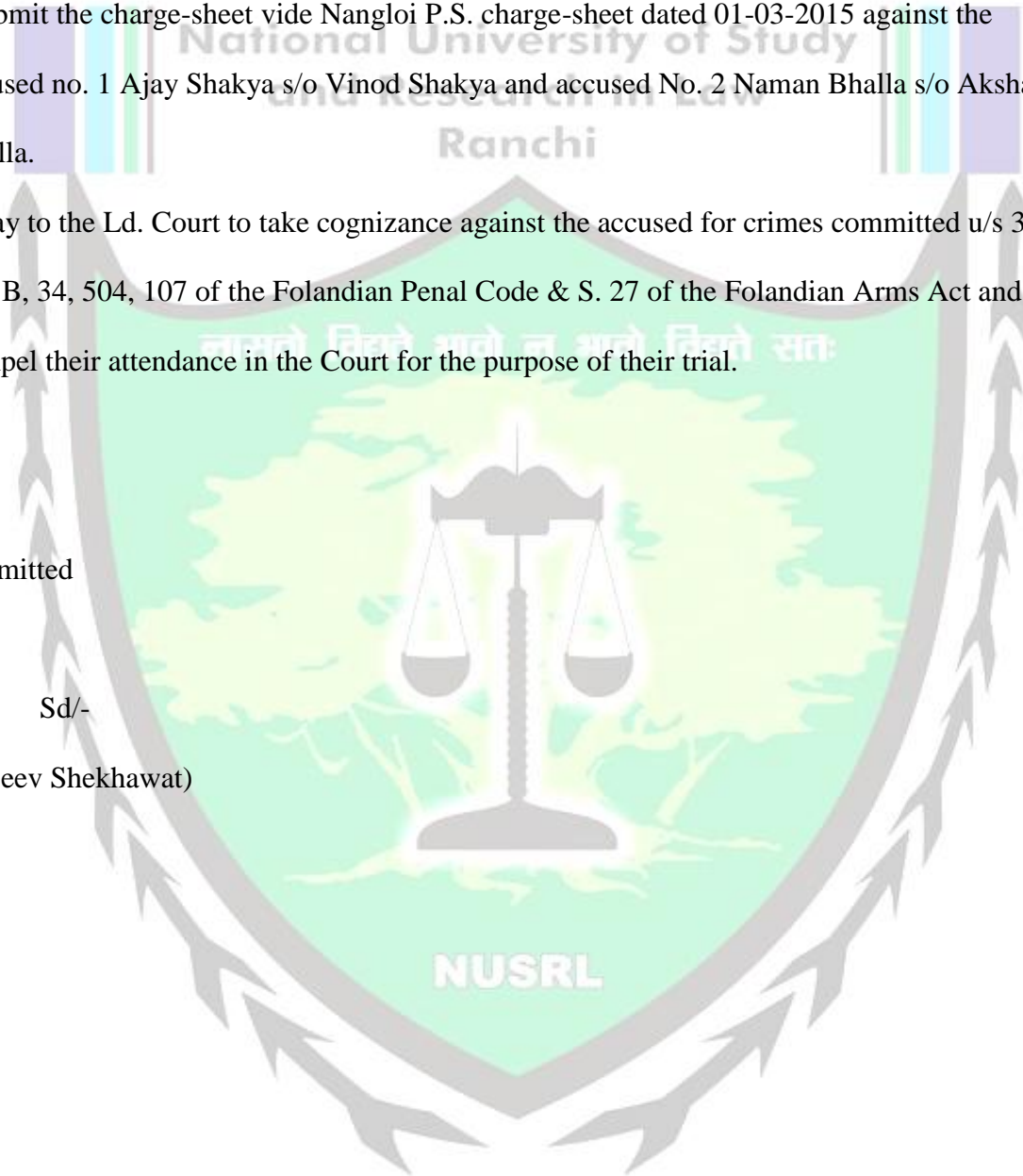
I submit the charge-sheet vide Nangloi P.S. charge-sheet dated 01-03-2015 against the accused no. 1 Ajay Shakya s/o Vinod Shakya and accused No. 2 Naman Bhalla s/o Akshay Bhalla.

I pray to the Ld. Court to take cognizance against the accused for crimes committed u/s 302, 120 B, 34, 504, 107 of the Folandian Penal Code & S. 27 of the Folandian Arms Act and compel their attendance in the Court for the purpose of their trial.

Submitted

Sd/-

(Rajeev Shekhawat)



## Appendix 2

ENTRY REGISTER

Date - 1<sup>st</sup> January, 2015

Sl. no.	Name	Address	Ph. no.	In-time	Out-time	Waiver
72.	Parth + 1	Padpada gang	7207251469	3:15 pm	7:00 pm	Gagan
73.	Arunaj A Sid	North Avenue	9029114954	3:30 pm	5:00 pm	Rajhu
74.	Rommel + 3	Tanku Colony	9432710081	4:20 pm	5:12 pm	Adham
75.	Amogh + 8	South Avenue	9025764831	8:15 pm	9:00 pm	Amogh
76.	Ajay + 2	Bavastoti	9451909722	8:45 pm	10:20 pm	Anil
77.	Ghensraj	H. Gr. Colony	9199091502	8:48 pm	10:45 pm	Rajiv
78.	Virek + 3	Ashokra Colony	7266871230	8:53 pm	11:15 pm	Peter
79.	do hold + 2	Tilvi Colony	9002912068	8:57 pm	10:23 pm	Anil
80.	Kyle A Kevin	Ashokpur	7309421102	9:02 pm	11:36 pm	Gagan
81.	Ayush + 2	live! times	9812648229	9:08 pm	10:29 pm	Anil
82.	Aman + 1	Konoti Nagar	8005220101	9:45 pm	11:50 pm	Adham
83.	Akshay	A. B. Colony	7003959709	10:20 pm	11:47 pm	Peter
84.	Ashokil	Amichpur	7495662482	10:53 pm	11:52 pm	Rajhu
85.	Kallant + 1	Thirvedi Colony	7204149160	11:23 pm	11:35 pm	Rajiv
86.	Ramesh	Rajendranagar	7652433166	11:35 pm	12:00 am	Amogh

## Appendix 3

**CALL LOG OF MR. CHADDHA****Outgoing Phone Call Log Form**

Name: *RANJIT CHADDHA* Phone No.: *9089912325* Purpose: *Police Investigation*

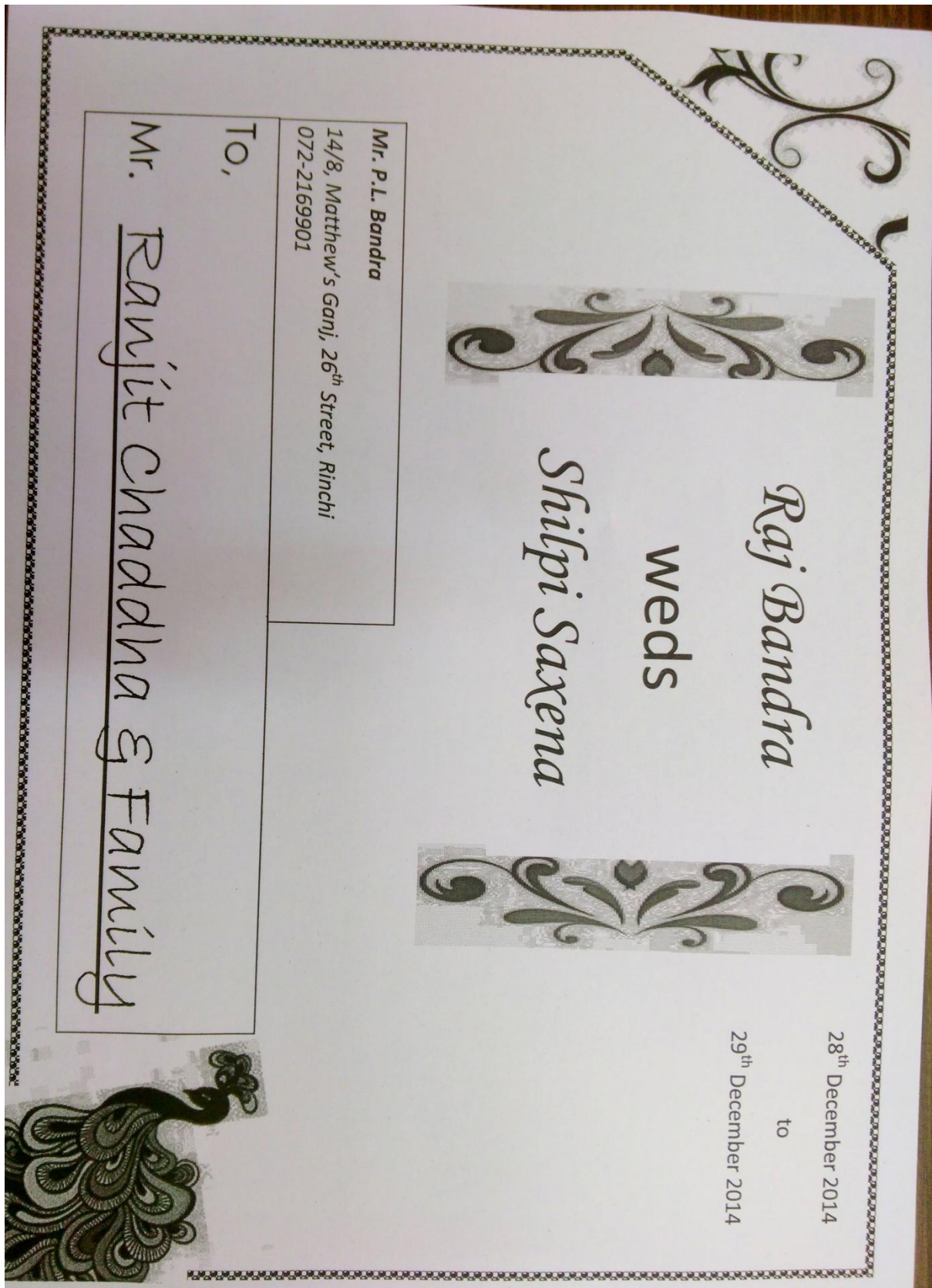
Name of Person/Company Called	Phone Number	Date	Time of Call	Length of Call in minutes
Nitin Raizada	9425615694	30.12.2014	00:45	--:--
Vivek Diwan	8721652317		02:00	6:00
Amogh Salve	7721652144	30.12.2014	06:00	15:25
Rommel Luthra	9725867115	30.12.2014	06:22	02:11
Parth Sultania	8989252133	30.12.2014	07:10	03:46
Pritish Modi	8004246715	30.12.2014	10:30	07:47
M/s Forever Ready.	072- 2564908	30.12.2014	11:50	25:56
Ebaad Kejriwal	9222347181	30.12.2014	12:30	09:36
Aditya Raizada	8434105092	30.12.2014	13:35	06:32
Nitin Raizada	9425615694	30.12.2014	14:32	10:49

1<sup>st</sup> NUSRL National Trial Advocacy Competition, 2015

Anshumann Birla	9458670882	30.12.2014	22:00	13:44
Saloni Khan	7382014145	31.12.2014	11:00	06:39
M/s Forever Ready	072- 2564908	31.12.2014	17:30	04:30
Saurav Jain	8417600744	31.12.2014	19:33	5:33
Nitin Raizada	9425615694	31.12.2014	19:55	2:38
Aditya Raizada	8434105092	31.12.2014	20:33	16:34
Nitin Raizada	9425615694	31.12.2014	21:44	00:00
Nitin Raizada	9425615694	31.12.2014	21:44	--:--
Shyam Kapoor	8824394241	31.12.2014	22:00	10:00`
Sonal Gadkari	9424746452	01.01.2015	13:15	05:22
Kirtikar Sinha	7805975604	01.01.2015	15:36	01:44
Gouransh Bansal	9424344454	01.01.2015	16:28	07:29
Ankit Sikri	7547113534	01.01.2015	17:00	--:--
Girish Waghwa	7760743051	01.01.2015	20:00	8:47
Adiya Raizada	8434105092	01.01.2015	21:25	06:25
Surjit Micheal	9686752134	01.01.2015	21:45	01:56

Appendix 4

MARRIAGE INVITATION CARD



Mr. Prabhoobhai Lalloobhai Bandra &

Mrs. Varshaben Prabhoobhai Bandra

Request the honour of your presence and blessings

On the auspicious occasion of the wedding ceremony of our son

*Raj*

to

*Shilpi*

Daughter of Dhaniroop & Roona Saxena

On Sunday, 28th December, 2014

at 6:00 pm

Tooti More, Palitol Hill, Main Road, Rinchi

Barat leaves at 5:00 pm

Reception

Monday 29th Dec. 2014

Reception at the same place

Dinner at 8:30 pm

Appendix 5

**FLIGHT TICKET OF MR. CHADDHA**

From: [no\\_reply@foland.fl](mailto:no_reply@foland.fl)

Date: 7<sup>th</sup> December, 2014 12:31:55 pm IST

To: [chaddha.r@kmail.com](mailto:chaddha.r@kmail.com)

Subject: Air Foland e-commerce - Fulfilment AIBE15544776 JSRZP

Reply-To: [no\\_reply@foland.fl](mailto:no_reply@foland.fl)

You must present this receipt along with a valid photo identification, to enter the airport. We seek your attention to make a note of our Terms & Conditions and Conditions of Contract at [www.airfoland.fl](http://www.airfoland.fl)

**E-Ticket Itinerary Receipt**

**PASSENGER DETAILS**

PASSENGER TYPE	NAME	FREQUENT FLYER NO.	MEAL REQUEST	SPL. REQUEST	TICKET NO.(S)
Adult 1	Ranjit Chaddha	NA	NA	NA	098-2934884622

**TRAVEL INFORMATION**

FLIGHT	Depart	Arrive	CLASS	FARE BASIS	NVB*	NVA*	BAGGAGE ALLOWANCE
AI 809	Molkata	Rinchi	Economy	UEIPWEB	Sun, 28	Sun, 28	Adult: 15 Kg

1<sup>st</sup> NUSRL National Trial Advocacy Competition, 2015

Booked (MOL)	(IZR)	- U	Dec	Dec
Sun, 28 Dec	Sun, 28		2014	2014
2014, 09:00,	Dec 2014,			
Terminal 1A	10:05			

\* All times are local to airport.

\* NVB - Not Valid Before, NVA - Not Valid After

**BOOKING DETAILS**

<b>Booking reference no (PNR):</b> JSRZP	<b>Place of issue:</b> <a href="http://www.airfoland.fi">www.airfoland.fi</a> / IBE
<b>Web Reference:</b> <a href="http://AIBE166644776">AIBE166644776</a>	<b>Contact No:</b> 562623805713
<b>Issuing Airline:</b> Air Foland Ltd.	<b>Email:</b> <a href="mailto:chaddha.r@kmail.com">chaddha.r@kmail.com</a>
<b>Issued date:</b> 7 <sup>th</sup> December, 2014	<b>IP address:</b> 19.103.29.17.111.169

**FARE DETAILS**

**PAYMENT DETAILS**

<b>FARE</b>	<b>NAME ON CARD:</b> Ranjit Chaddha (as entered while booking)
1 Adults @ INR 6,450.00 :FNR 6,450.00	<b>CARD TYPE:</b> Visa
<b>SURCHARGE</b>	<b>CARD NO.:</b> *****666
Foland: User Development Fee (DF) :FNR 308.00	<b>AUTH CODE:</b> 007666
Foland: Passenger Service Fee (PSF) : FNR 147.00	<b>ENDORSEMENT/RESTRICTIONS</b>
	ENDOS NON-END/VALID ON AI

Foland: Development Fee (YF)	: FNR 113.00	<b>TOTAL PAID</b>	<b>: FNR 10433.00</b>
Airline Fuel Charge (FCA)	: FNR	<a href="#">payment details</a>	
	2,950.00		
<b>TAX</b>			
Service Tax (YZ)	: FNR 465.00		
<b>TOTAL TRIP COST</b>	<b>: FNR</b>		
	<b>10,433.00</b>		

(Including Base Fare, Surcharge, Fees, Taxes)

#### NOTE

- The card used to purchase the tickets will have to be produced at the time of Check-in.
- If the cardholder is not the passenger, then the passenger should possess:
  - a. A photocopy of both sides of the card, which will have to be self attested by the card holder authorizing the use of the card for the purchase of the ticket. For security reasons, please strike out the Card Verification Value (CVV 3digit security code) on the copy of your card.
  - b. This photocopy should also contain the name of the passengers, and the itinerary details for which the booking is made.
- The above document should be produced at the time of check-in. If the passenger fails to comply with these conditions, Air Foland reserves the right to deny the passenger(s) from boarding.
- Checked in Baggage details are available on link:  
<http://www.airfoland.fl/checked-baggage-allowances.htm#top3>

- Infant(not entitled to seat) baggage allowance for all international routes is 10kgs only  
Please note that all AI Flight ranges 010-399 and 900-999 depart from the international terminal . The following domestic flights at Mumbai, depart from Terminal 2 (International) at Gahar. AI 012, 054, 101, 130, 144, 310, 314, 342, 348, 965, 984, 986, 050
- Passengers are advised to report at the check in counters well in time.

**RECOMMENDED REPORTING TIME :Before Departure**

Domestic Flights	:75 Minutes
International Flights	:150 Minutes
Departing from Deh/Hinagar/Kammu Airports	:120 Minutes
Domestic leg of International Flights	:120 Minutes

**COUNTER CLOSING :Before Departure**

**TIME**

Domestic	:45 Minutes (60 Minutes for domestic leg of an International flight)
International	:60 Minutes

- Passengers are required to show any of the following form of identification at time of check-in: \*Passport \*Driving License \*Pan Card \*Voter Card \*Military ID \*Photo Cr. Card \*Airline ID \*Any Photo card by Airline \*Any other photo card issued by Government Agencies
- The Carrier is not liable for any damage,if checked - in baggage includes fragile/valuable items,passports and other identification documents.

THIS ADVICE IS GENERATED BY THE AIR FOLAND COMPUTER SYSTEM AND DOES NOT REQUIRE A SIGNATURE. YOUR TICKET RECORD IS ELECTRONICALLY STORED WITH AIR FOLAND.

For any assistance you may contact us on the following numbers

**AIR FOLAND CALL CENTRE NUMBERS**

**GINDA: 9-8090-1480 / 14207**

**RPA: 9-1801 263 7706**

**NADA: 1811 609 6439**

**FRANCE: (33) 1 73 44 3218 (9AM TO 9PM)**

For any queries pertaining to bookings/cancellations/refunds made through the Air Foland Web site, please write to us at [ecommerce@airfoland.in](mailto:ecommerce@airfoland.in)

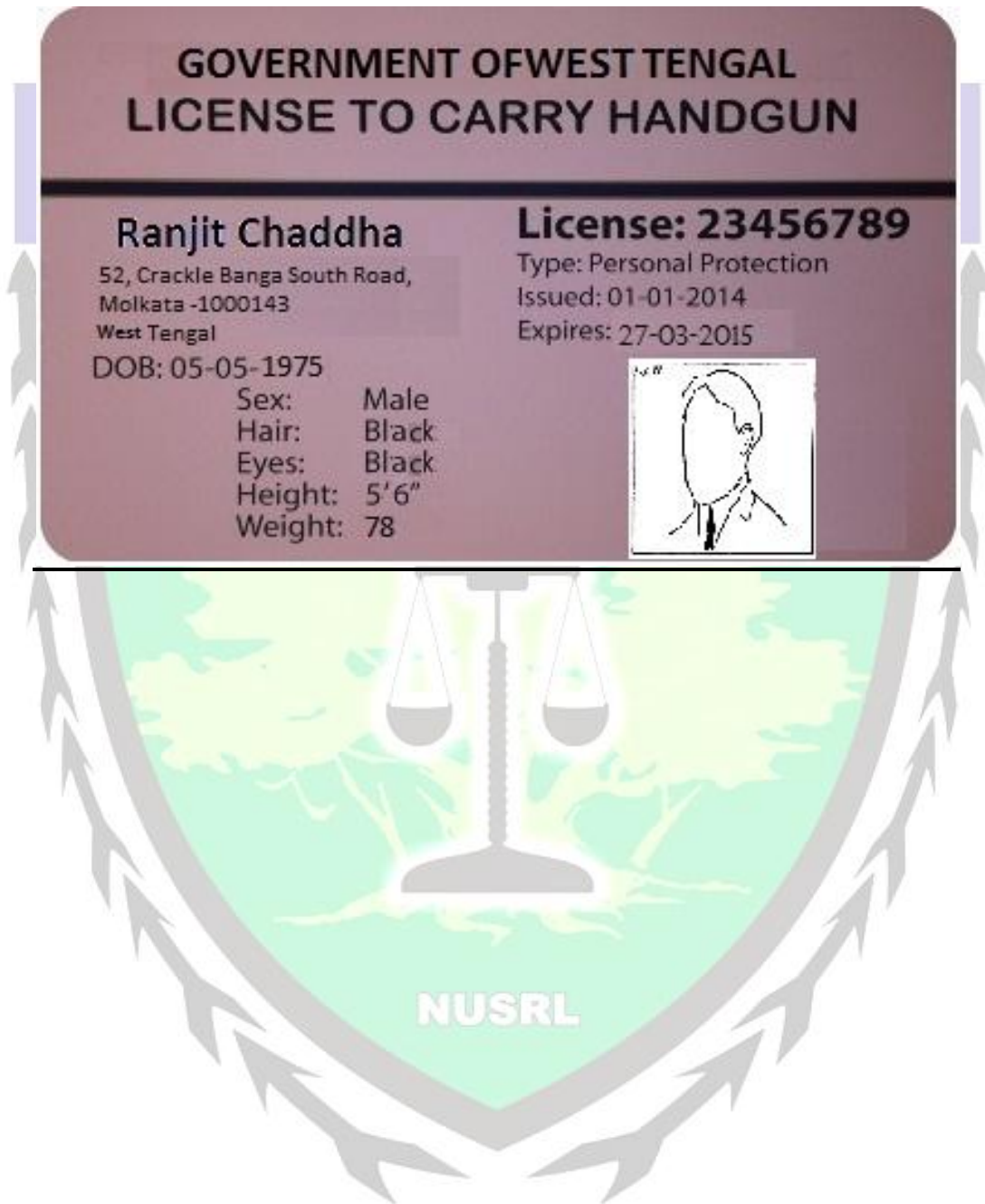
**We wish you a pleasant journey and thank you for choosing Air Foland.**

**Please check status of your flight from our call center no.18003230140725 or from Web site [www.airfoland.fi](http://www.airfoland.fi) before leaving for airport.**



Appendix 6

GUN LICENSE OF MR. CHADDHA



## Appendix 7

**INVOICE/BILL OF METRO BAR****Metro Bar**

66, Station Road  
Palisade Building, Kamal Nagar  
Rinchi, Realkhand

(072) 456 789  
contact.bar@mbar.com

**INVOICE**

1-January-2015  
Invoice #234233  
Service Tax #234-143

**Waiter: Anil**

Table No: 21

#	Item Description	Quantity	Unit price (FNR)	Total (FNR)
1	Grilled Chicken Sandwich	3	150.00	450.00
2	Mixed Fried Rice	3	200.00	600.00
3	1000 Viper (Whiskey)	3	650.00	1950.00
4	Buborg (Beer)	6	210.00	1260.00
5	Back Daniel (Scotch)	3	800.00	2400.00
<b>Subtotal</b>				<b>6660.00</b>
<b>Sales Tax (14.4%)</b>				<b>959.04</b>
<b>Total</b>				<b>7619.04</b>

**Appendix 8**

**FORM NO. 13**

**DEATH CERTIFICATE OF THE DECEASED**

(Issued under Section 13 of the Registration of Births and Deaths Act, 1955)

This is to certify that the following information has been taken from the original record of death which is the register for (local area/ local body) Municipality Corporation of Tehsil/ Block Tanke of district Rinchi of state/ Union territory Realkhand.

Name: Late Nitin Raizada

Sex: Male

Date of Death: 01-01-2015

Place of Death PH-2

Name of mother: Late Smt. Phoolmati Devi

Name of Father: Mr Ramesh Raizada

Address of the deceased :

1 Tanke Road, Rinchi, Realkhand, 7890001

Registration No 1254/15

Date of Registration: 02-01-2015

Remarks (if any).....

Date of issue 02-01-2015

**NUSRL**

Sd/-

Signature of the issuing authority.

Address of the issuing authority.