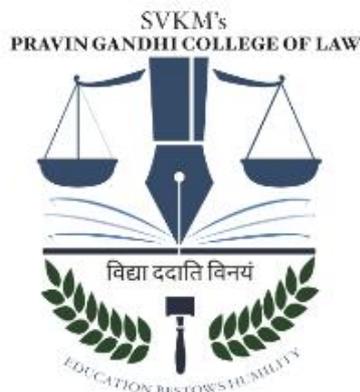




11th Nyayavalokan National Trial Advocacy and Judgment Writing Competition, 2022



TRIAL PROPOSITION





SVKM's Pravin Gandhi College of Law
MOOT COURT SOCIETY



11th Nyayavalokan National Trial Advocacy and Judgment Writing Competition, 2022

TRIAL ADVOCACY PROBLEM:

State of Maharashtra v. Karan Harish Jadhav

In the Court of the Principal Sessions Judge, Mumbai

List of Documents:

1. First Information Report
2. Statements under Section 161 CrPC
3. Scene of Offence Panchnama (Exhibit 1)
4. Post-mortem examination of Sumana Karan Jadhav (Exhibit 2)
5. Chemical Examination Report – blood of Sumana Karan Jadhav (Exhibit 3)
6. Chemical Examination Report – stained yellow towel (Exhibit 4)
7. Toxicological Examination Report – tablets from bedroom (Exhibit 5)
8. Certificates under **Section 65B Indian Evidence Act, 1872** (To be drafted separately for the Email and WhatsApp chats and to be proved through the relevant witnesses)

List of Appendices:

1. Statements of Defence Witnesses (*provided simply as an aide memoire*)



FIRST INFORMATION REPORT

(under Section 154 CrPC)

1. District: *Mumbai* P.S: *Vile Parle Police Station* Year: *2021*
FIR No: *211 of 2021*
Date of occurrence: *19th February 2021*
 2. Act: *Indian Penal Code, 1860* Sections: *304B, 498A, 306*
 3. Occurrence of Offence – Day: *Friday, 19th February 2021* ; Time: *2-2.30pm*
 4. Information recorded at PS: Date: *19th February 2021* ; Time: *4.00pm*
General Diary Reference Entry No: *4396/2021*
Information recorded by: *Asst. Police Inspector V. Adhikari*
 5. Type of information: *Personal* * Written / Oral: *written*
 6. Place of Occurrence: Direction / Distance from PS: *Flat 301, Vishwashish CHSL, 94 Nehru Road, Vile Parle (E), Mumbai 400099 – 60 m from Vile Parle Police Station*
 7. Informant Name: *Meena Neelesh Halankar* Husband's name: *Neelesh*
Date of birth: *17th May 1970* Nationality: *Indian*
Occupation: *School teacher*
Address: *Room # 16,BDD Colony, Worli, Mumbai 400013*
 8. Basis on which FIR is lodged: *Information provided by Meena N. Halankar*
 9. Details of Known / Unknown / Suspected accused with particulars:
Known persons – Karan Harish Jadhav, Malti Harish Jadhav
 10. Reasons for delay in reporting by informant: - *no delay, informed immediately*
 11. Particulars of injuries sustained: *No visible injuries*
 12. Particulars of the post mortem report: *Not received*
 13. Inquest report / Unnatural death case no. if any:
FIR read over to the informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost.
- Signature / thumb impression of complainant / informant:
Signed Meena Neelesh Halankar
- Signature of Office-in-charge, Police station: *Signed API V. Adhikari*
Date and time of despatch to the Court: *20th Feb 2021 at 11.00 am*

PW 1 – Mrs. Meena Neelesh Halankar (Informant)

Age: 49 years

Occupation: Municipal school teacher

Address: Room # 16, BDD Colony, Worli, Mumbai 400013.

Statement: I am a school teacher. I live with my husband Neelesh. He works in the Century Mills compound and we live in Worli. We have three children, i.e. two girls and one boy. Our oldest daughter, Sumana was 25 years old and married to one Karan Harish Jadhav. Our second child is Atul (23 years) who has just completed his M.B.B.S. from Savitridevi Medical College, Nagpur and youngest daughter, Janvi (16 years) live with us in the colony.

My daughter Sumana was a B.Com graduate from Bhavans College and after her graduation she secured a job at Dipika Call Centre in Bhandup. She was working at this Call Centre from July 2015 until December 2019. In January 2018, while she was still working at the Call Centre she had met Karan. He was her supervisor. They became friends and she used to go out with him on her days off. In the beginning she did not admit to me she had a boyfriend but then the neighbours started gossiping and telling me that they had seen her with this boy. They said they had seen him drop her to the main road on his bike, late at night. They asked me who the boy was. I did not know and I was worried my husband would find out, so I asked Sumana one day. She admitted that Karan was her boyfriend and that they were in love and wanted to get married.

I tried to explain to her that she was still young and that marriage could wait, she had a good job and should focus on her career plans, but she was fixed in her mind and was determined to marry him. I told my husband Neelesh and we decided to ask this boy Karan to come and meet us. He came on a Sunday afternoon for lunch. He told us that he was in love with our daughter and wanted to marry her. He said that he was due for a promotion and would have a good salary and benefits, and that he lived in Vile Parle with his parents and younger sister, in a nice 2 bedroom hall flat and he could look after Sumana well. He promised to let her continue to work. He never asked us for anything. He said the family had a business related to the manufacture of polyester material that was doing well, and his father and uncle ran the business, by name, 'Modern Polyesters'. After this meeting we agreed to meet his parents to discuss further. We met Karan's parents, Malti and Harish Jadhav, in early April 2019. I was not very impressed with them, especially Karan's mother, Malti. She kept asking me about how much my husband earns, why do I have to work, and why I let my daughter work and does my daughter know cooking. I discussed my doubts with Sumana but Sumana said that his parents were very comfortable financially and so they did not believe in girls working, and Karan's sister Varsha, did not work. Sumana insisted that when she visited their house the family was always very nice with her. She continued to pester my husband and me for permission to marry Karan. Finally in June 2019 we agreed to the wedding.

Sumana and Karan got married on 17th September 2019. It was a big wedding in the Vile Parle Sunset Banquet Hall. We had to borrow money to pay for her wedding, and Sumana also put in all of her earnings to help us buy her some jewellery for the wedding and some small gifts for his family. Karan's family gave her two outfits and the mangalsutra. After her wedding Sumana continued to work for a few months, and she used to visit us quite regularly every month on her day off from work. She never stayed the night but she would come and spend the whole day. She seemed quite happy and my husband and I were happy for her.

Then one day in early December 2019 when she came to visit us, she informed us that Karan had said she should stop working now and focus on having a child. Sumana was only 23 years old, so I asked her to discuss with him about waiting a few years more, but she said he was under pressure from his family – they wanted him to have a child and his mother was very keen that Sumana stops working and stays at home. Sumana said she had been trying to get pregnant for the past several months but nothing had happened yet.

Sometime in end May 2020, I remember Sumana had called me and she seemed very upset on the phone, she told me that since the time she had quit her job and was home, her mother-in-law had started pestering her a lot. She kept telling Sumana that she was not good enough for Karan and that if she had a son then Sumana could redeem herself in the eyes of the family. Sumana said she had been saying that quite often now, and asking Sumana to speak to my husband Neelesh, about giving some monthly financial contribution to the Jadhav household, because they had the burden of taking care of Sumana. Sumana was very upset by that comment. She was crying. I told her not to bother with that lady and just focus on being happy with Karan. She said he was not bothering her at all. They were happy.

On 13th June 2020, Sumana had come over for Atul's birthday. She was very excited because she had bought a new laptop for Atul as a surprise birthday gift. We could not afford such electronics, and so Atul was very happy. They spent the whole day on the laptop together, and she seemed okay. Since Sumana wanted to spend more time with her siblings, Atul called up Karan to ask for his permission, when Karan told Atul very rudely that we only knew how to 'ask' but not to 'give' and that till date we had not given him or his family any expensive gifts like a car or bike, which he had been asking for since his marriage. He refused to let Sumana stay and said she had to come home since housework could not be neglected. Since Sumana did not have enough money with her to go home by taxi, as it was already 10.30 pm at night, we gave her Rs. 500/- as taxi fare. This was when I should have realized something was not okay, but I did not.

One week later, i.e. around 21st June, 2020, again Sumana called me. She seemed scared and was speaking very softly. She said she was going to a specialist doctor with Karan and his mother on the same day. She said his mother took an appointment with one Dr. Nitin Chikalkar who was a fertility specialist, because she suspected there was something wrong

with Sumana as she was not getting pregnant. Sumana said she asked for me to come also, but both Karan and his mother had shouted at her. I was very worried, so I asked her to call me when she returned. Sumana called me the next day and said that the doctor had checked her and he said that he could medicate her to help with the pregnancy. He prescribed a tablet called Clomid to be taken for 3 months only.

Then for a few days I did not hear from Sumana at all, I was worried. When we finally spoke, maybe at the end of July, she said she had been unwell after taking the medicine, she was getting bad headaches and needed to rest all the time. She said her mother-in-law was taking charge of her care and medication.

At the time of Raksha Bandhan Festival in August 2020, Sumana did not come so I was very worried. I called her but she said she was unwell and because of the Corona Virus situation and her poor health she could not come. She sounded weak. I insisted my husband and I should visit Sumana and the Jadhav family to check on our daughter. We took some small gifts and mithai. When we reached their house a few days later, Karan told us we could not meet Sumana as she was undergoing treatment and could not be disturbed or exposed to anybody but her family, in case she got Covid. Karan did not permit us to even enter their house or even offer us a glass of water, knowing that we had come from far away after changing 2 buses. When we offered mithai to him and the small gifts we had taken, he very rudely told us that the Jadhavs did not eat cheap mithai. His mother was also there sitting in the hall but she did not even look at us. Upon hearing this conversation between Karan and us, his mother taunted us by saying that instead of bringing cheap stuff we should have bought a car for Karan and offered to pay for Sumana's ongoing fertility treatment, so that she could at least produce a male heir as we had not given anything of value so far to the family. We were really shocked by these hurtful references of dowry demands made by Malti and since Karan was agreeing to whatever his mother was saying, we left.

Over the next few months Sumana barely spoke to us on the phone, and nor did she visit, so I became more and more worried. Every time I called her at home she either had a headache and could not talk or she was sleeping. Every time I called, she sounded terrible. Sumana said she was unable to sleep at night, she had still not been able to conceive even though she kept taking those Clomid tablets for more than 5 months now. She said the doctor had told her mother-in-law that stress could also have an effect on her reproductive system and she should be given sleeping pills to calm her.

During Diwali 2020, I called Malti and invited their entire family for dinner on Bhai-Dooj, but she told me that it was not possible and just disconnected the phone. Therefore, I rang Karan and asked him to come along with Sumana for dinner to our house, to which he responded by saying that since we had not yet given him a bike or car, he was unwilling to spend money on a taxi on our useless daughter. I was shocked by the demands now being

made by the Jadhavs despite them telling us at the time of marriage that they did not want anything from us except a good 'daughter', and shared this conversation with my husband. We decided that we would both do extra work to make some more money to buy our son-in-law a car.

On 19th December 2020, my son Atul said he had received a strange email from Sumana. He showed us the email. She had written that she was very sick, that she had been trying to reach out to us but her mobile phone had been taken away by her mother-in-law. She felt that she was being drugged and that she was very scared and depressed and wanted us to save her from this marriage. She said that she was able to email us because for some reason that day Karan left his laptop behind at home when he went to work and so she had access to it and emailed us. She told us she would delete the email from her account after sending, so that she does not get caught.

On 20th December 2020, Neelesh and I went to the Jadhav house to meet Sumana, but there was nobody home. We called Sumana and got no reply. After waiting sometime, we asked the neighbours if they knew where the Jadhavs were. We were told they had left early that morning, and they were carrying bags like they were going away for a long time. We asked if Sumana was with them and were told she was, but she appeared weak and sick and was being helped to the vehicle. We kept calling the mobile numbers of all the family members for several days thereafter, but all their phones were either switched off or out of coverage area.

On 29th January 2021, I got a call from Sumana's phone. She sounded very weak, she kept saying she was okay, and she seemed drugged. I could hear some female voice talking to her but I could not hear what she was telling Sumana. The phone got disconnected. When I called back, her mother-in-law answered. She told me Sumana was tired and resting as they had just returned from their native place.

I called Sumana every day thereafter but I always had to speak with Malti, never with Sumana. She always told me Sumana was resting as she was unwell and tired. So then I tried Karan's phone but he always said he was busy at work and he would call me back. He never called back. My husband and I decided to go to the Jadhav's house unannounced to check on our daughter's health and therefore on 05th February 2021, at about 5.20 pm, we reached the Jadhav residence at Vile Parle. Their servant opened the door and therefore we were able to enter the house and asked to see Sumana. She led us into the bedroom and we saw Sumana lying in bed, listless and very feeble, but she looked frightened on seeing us. Before we could inquire about her health and make inquiries on why she was in this state, Malti entered the bedroom and shooed us out on the pretext that Sumana's doctor had told her to take complete bed rest and she should not be stressed or harassed in any manner. Since Sumana had already closed her eyes by then, we had no other option but to leave.

On 19th February 2021, I had just finished my lunch when I got a phone call from Sumana's phone. It was Malti's voice and she was crying and screaming and I could not understand what she was saying. Finally, I understood she was telling me that my daughter Sumana had taken her own life by swallowing all her sleeping pills. I was in shock and I blacked out. When I recovered after a short while, my husband and I went straight to the Jadhav house.

When we reached at 3.15 pm, there were a lot of people outside the flat, an ambulance had come and Sumana was just lying in her bedroom on her back on the bed. My poor daughter looked half her size and had become a skeleton. The room was messed up and noticed those big fertility tablets near Sumana. I was very suspicious because Sumana told me when she first started this treatment that it was only for 3 months.

We didn't know what was going on, and Malti was telling everyone that my daughter had taken her life by swallowing sleeping pills. This was not like our Sumana at all. We had been feeling worried about how the Jadhavs were treating her and we wanted a proper investigation done. So my husband called our friend who has some police contact in Vile Parle Police Station. We left our relatives at the Jadhav house and Neelesh and I went to the police station immediately to file a complaint as we believe that both Karan and his mother are involved in Sumana's early death. We reached the police station sometime at 4.00 pm.

We spoke to Police Inspector Adhikari. He told us that Senior PI Damle was not at the police station just now. My statement was recorded by API Adhikari, read over by me and I confirm it has been correctly recorded.

Sd/-

API V. Adhikari

Sd/-

Meena Neelesh Halankar

PW - 2 Mr. Atul Neelesh Halankar

Age: 23 years

Occupation: Medical Intern

Address: Room # 16, BDD Colony, Worli, Mumbai 400013.

Statement: I am the only son of Meena and Neelesh Halankar. I have two sisters, i.e. Sumana (25 years) and Janvi (16 Years). I have just completed my M.B.B.S. exam from Savitridevi Medical College, Nagpur and am currently working as a medical intern at Nagpur Central Hospital, Nagpur. My sister Sumana was married to one Karan Harish Jadhav in September, 2019, whom she met at the Call Centre where she was working and they both fell in love. Although my parents did not approve due to the difference in economic status of both our families, they ultimately agreed to the marriage, upon the insistence of my sister.

My sister Sumana and I shared a close relationship and she confided in me. However, after my shifting to Nagpur for completion of my medical studies and Sumana getting married, we could not keep in touch regularly. She expired on 19th February 2021.

On the few occasions that I have met the Jadhavs, they struck me as being very status-conscious and distant towards my family members, however, we ignored this due to Sumana's love for her husband. Shortly after their marriage, when I had gone to meet Sumana in December 2019, before going back to Nagpur, her mother-in-law Malti had made me feel unwelcome and pointedly asked me how my parents could afford my medical education when they could not afford to give proper gifts to the bridegroom and his family upon Sumana's marriage. During this visit, Sumana informed me that she had quit her Call Centre job on Karan's insistence as he wanted her to focus on starting a family. Sumana, since her teenage years has been suffering from recurring Eczema for which our family doctor had prescribed Tablet Abrocitinib, which was under control due to the medication. However, on that day, I noticed that Sumana's Eczema had flared up and therefore I advised her to take her medication regularly. I also noticed during this visit that Malti and Karan were very reluctant to leave the two of us alone to chat and so I left their house after half an hour.

On 13th June 2020, Sumana had come to our house for my birthday, as I was on vacation in Mumbai. She was very excited because she had bought a new laptop for me as a surprise birthday gift. We spent the whole day setting up the laptop together, and she seemed okay. Since Sumana wanted to spend more time with us, I called up Karan to ask for his permission, when Karan told me very rudely that my family only knew how to 'ask' but not to 'give' and that till date we had not given him or his family any expensive gifts like a car or bike, which he had been asking for since his marriage. I felt very offended by Karan's statement, and told him that being an educated man he should not be talking in this manner, to which he rudely told me to send Sumana home.

On 10th July 2020, I phoned Sumana to wish her for her birthday and jokingly asked her if there was any good news, to which she replied that she had been taken by her mother-in-law to a fertility specialist Dr. Chikalkar, who had prescribed Tablet Clomid to help her conceive. I immediately asked her whether she had informed Dr. Chikalkar that she was taking Tablet Abrocitinib for her Eczema as Clomid and Abrocitinib, when taken together are known to have harmful effects such as blood clots, heart attacks and pulmonary embolisms. To this, she specifically told me that Dr. Chikalkar had cautioned her about this fact in the presence of her mother-in-law.

On 19th December 2020, I received a strange email from Sumana. She had written that she was very sick, that she had been trying to reach out to me and my parents but her mobile phone had been taken away by her mother-in-law. She felt that she was being drugged and

that she was very scared and depressed and wanted us to save her from this marriage. She said that she was able to email me because for some reason that day Karan had left his laptop behind at home when he went to work and so she had access to it and was therefore emailing me. She told me she would delete the email from her account after sending, so that she does not get caught. I immediately called my parents and informed them about this very disturbing email and requested them to go to Sumana's house and find out what was happening with her.

On hearing of her premature death, I immediately rushed to Mumbai and after attending the last rites of my sister, I went to the Vile Parle Police Station to hand over the Email dated 19th December, 2020, in the hope that the same would help them in their investigation. I was asked to hand over the email together with a Certificate as required under the law, which I did, on 26th February, 2021, when my statement was recorded. My statement was recorded by API Mane, read over by me and I confirm it has been correctly recorded.

Sd/-

API Mane

PW 3 – I.O. (Sr. Police Inspector Vikram Damle)

Vile Parle Police Station, Navpada, Vile Parle (E), Mumbai 400099

Statement: I was out doing rounds when I got a call from an old friend Arun Ganesh. It was about 3.40 pm on 19th Feb 2021. He said a relative of his, Neelesh Halankar was in trouble, as he suspected his daughter had been tortured and killed by her in-laws. Arun asked me to go to the in-laws home, which was near the police station. I explained that somebody has to call or come to the police station to inform of the incident and only then I can do something.

He said he would convey that to Neelesh but meanwhile could I please dispatch a police officer to the location. Since I was still on rounds, I decided to go myself. However, before I reached the location given by Ganesh, I was informed by PI Adhikari that the parents of the deceased were at the Police Station and he was in the process of recording their statement.

I reached the location Vishwashish CHSL, 94 Nehru Road, Vile Parle (E), Mumbai 400099, at about 4.50 pm, I spoke to the watchman, and he said he had heard someone had died in Flat 301, which was the flat of one Mr. Harish Jadhav. There was an ambulance already parked outside the building but nobody was inside. I proceeded to the Flat 301, the time was about 4.50 pm.

When I reached the said Flat, the main door was open and there were 4-5 people standing at the door whispering. I asked everyone to stand back and rang the doorbell to announce my

presence. Some maid came to the door, she said bhabhi had died and the family was in her room. I asked the maid to call Mr. Harish Jadhav. Mr. Harish Jadhav came to the door, I proceeded into the flat. He took me to a bedroom on the left of the house. He told me that this was the room of his son and daughter-in-law. He informed me that the daughter-in-law Sumana had been very sick and they had been taking care of her at home because of fear of Covid. He introduced me to his wife, Mrs. Malti and their son, Mr. Karan. I asked to see the room in which the daughter-in-law had died. They took me to the room. She was lying on the bed wrapped in a blanket. She looked like a small child. She was very clearly dead. One person present in the bedroom came up to me and introduced himself as Dr. Karmarkar and informed me that upon being summoned by Mrs. Malti, he had examined Sumana and pronounced her dead. I immediately called PI Adhikari and asked him to send a team to the location as there was suspected foul play.

I went back out to speak to Mr. Harish. He said that he did not get involved much, his wife and son were handling the situation. He said his wife called him at work at about 2 pm and told him that Sumana had swallowed some pills and was critical. He said Mrs. Malti told him to inform Karan and both of them should return home. He left his office immediately and on the way Karan called the ambulance service and then his mother. He looked very distraught and kept telling me that his son was devastated as he and Sumana were the 'perfect couple'.

Mr. Karan told me that his wife had been very sick for quite some time and his mother and he had been taking care of her at home. Mr. Karan said that she had decided to quit her job and start a family. They had been getting some fertility treatment and his wife had a bad reaction to the treatment and then got a stomach upset which is why she became so weak. He said they had been trying for quite some time to have children and that his wife had become depressed when it was not happening. He said in the last few months she had started taking sleeping pills to help her sleep and refused to meet her family, or go out and mix with people, she always wanted to stay home and watch TV. He explained that his mother had been very helpful in caring for Sumana, feeding her and making sure she took her medicines on time.

On 19th Feb 2021, Mr. Karan said he left for office at the normal time of 9.15 am, with his father. When he left, Sumana was sleeping. The next thing he knew was that his father called him and told him to rush home as something had happened to Sumana. He said he called the ambulance on his way home. He arrived home by 2.50 pm and found his mother crying near the bedside of his wife Sumana. Sumana was dead. Soon after he got home he told me his in-laws came there, and when they saw the body of Sumana they started screaming at him and threatening him. He said shortly after that, they had left and not returned. Since there was a claim that some foul play had occurred with respect to the death of Mrs. Sumana Jadhav, I refused to let the ambulance take her body until my team, who had

arrived there by then, completed their examination of the scene.

I went into the bedroom and bathroom of the deceased. We collected whatever tablets we found at the scene and some broken glass that we found on the floor. I received a call from PI Adhikari to say that the girl's parents were claiming that they had received an email from Sumana stating she was being tortured by her in-laws. I asked Mr. Karan for any device that Mrs. Sumana had – mobile phone, computer, tablet, etc. He showed us the laptop in the bedroom. We collected the laptop. After API Mane and myself completed examination of the scene, because I was not completely clear about the circumstances surrounding her death, I kept Lady Constable Dere on watch to make sure the scene was not compromised and no family member was allowed to leave the said premises. I then dispatched the ambulance with the dead body of Mrs. Sumana to Cooper hospital for post mortem examination.

I returned to the police station at about 7.10 pm and met Adhikari. He explained the details given by the informant. After reading the FIR I returned to the Jadhav residence at 7.50 pm on 19th Feb 2021, and placed Mr. Karan Harish Jadhav and Mrs. Malti Harish Jadhav under arrest, for offences mentioned in the FIR. All the articles seized/taken charge of under Panchnama, were sent to FSL, Mumbai for examination. I recorded the statements of witnesses and subsequently I collected the post mortem reports of Sumana Jadhav, Chemical Examination Reports from FSL, Mumbai and thereafter filed the chargesheet u/s 304B, 498A and 306 IPC.

EXHIBIT NO. 1:

SCENE OF OFFENCE PANCHNAMA

NB. This document alongwith the articles seized under this Panchanama shall be taken as proved by the Prosecution and no articles seized herein will be given to the Participants for the purpose of showing any witness.

Pancha No. 1

Date: 19th February, 2021

Mr. Santosh Kumar, age 44 years

Occupation: Family Business

Residing at: Flat 604, Vishwashish CHSL, 94 Nehru Road, Vile Parle (E), Mumbai 400099

Pancha No. 2

Mr. Amit Kulkarni, age 21 years

Occupation: Student

Residing at: Flat 101, Vishwashish CHSL, 94 Nehru Road, Vile Parle (E), Mumbai 400099

We the above-named panchas were called by Inspector Mane at about 5.35 pm on 19th Feb 2021, to Flat 301 Vishwashish CHSL, 94 Nehru Road, Vile Parle (E), Mumbai 400099. He informed us that one lady was dead under suspicious circumstances and requested us to act as panchas for conducting the scene of offence panchnama. We agreed to act as panchas. When we reached there, Snr. P.I. Damle and API Mane were present alongwith Lady Police Constable Dere.

The said Flat No 301 is a 2-bedroom hall flat. As you enter the flat there is a hall measuring 20ft X 15 ft. and there is an adjoining terrace, the doors are open. There are two chairs and a table on the terrace. Towards the south west corner of this hall, on the right hand side is a large kitchen. On the same right hand side but towards the northwest direction is one bedroom. The bedroom belongs to Mrs. Malti & Mr. Harish Jadhav. The bedroom has an attached bathroom. Opposite to the kitchen is a second bedroom which belongs to Mr. Karan Harish Jadhav and his wife Sumana.

The second bedroom of Mr. Karan Jadhav is where the police took us. The door was open. The bedroom measures 15 ft X 12 ft. To the right side of the room is a double bed with bedside tables on either side. On the left side of the room are two large Godrej cupboards, and the entry to a bathroom. Near the Godrej cupboards there is a desk with some stationary papers and pens and a landline phone and a laptop (Lenovo brand).

The laptop is plugged in but appears to be off. Lying on the bed, covered with a blanket is a female. She appears to be a young adult who's body is in an emaciated and

malnourished condition. She was identified as Mrs. Sumana Karan Jadhav, w/o Mr. Karan Jadhav. Two pillows were lying on the floor at the foot of the bed, next to which was some clear broken glass pieces. To the left of the bed, on the bedside table there were three half-used strips of Clomid, Restyl and Crocin tablets and a bottle of water and half a cup of soup with some vegetable bits.

On entering the bathroom, there were toiletries in the shower area and near the sink. Everything was neatly kept. There was a used yellow towel with a red stain on the floor. There was a lot of water on the floor of the toilet near the drain behind the toilet. Under the sink was a cabinet which contained a laundry basket and some cleaning soap powder and broom. There was a cabinet behind the mirror on the wall, this contained some make up items, perfumes, talcum powder, female items and two strips of Clomid tablets and five strips of Restyl tablets in a small cardboard box – all the strips were unused.

API Mane seized and sealed and marked all the following items in our presence and the presence of PI Damle:

1. CR#211/2021Exh(A) the 3 nos used Clomid, Restyl and Crocin tablet strips from the bedside table packed in brown paper and sealed in envelope.
2. CR#211/2021Exh(B) the six clear glass pieces from the bedroom floor, placed in a cardboard box and sealed.
3. CR#211/2021Exh(C) the Lenovo laptop (Ideapad 3 Slim3 (15'')) was in the 'off' position. API Mane took photographs of the screen and all the ports on the laptop. There were no external devices attached to the laptop, except for the charger and cable. He unplugged the charger from the wall socket, packed the same in bubble wrap, placed in a big brown paper bag and sealed the same with the seal of the Police Station.
4. CR#211/2021Exh(D) the box containing two strips of Clomid tablets and six strips of Restyl tablets, were packed in a plastic bag, packed in a brown paper envelope and sealed.
5. CR#211/2021 Exh (E) the stained yellow towel was packed in newspaper, put in a brown envelope and sealed.

We, alongwith PI Damle signed on the labels of the four seized items.

Except for the above articles nothing else was seized by the police in our presence.

Prior to conclusion of the Panchanama, Police Constable Dere was posted to keep guard and the four persons inside the flat were told not to leave the flat without prior police permission.

The panchnama was conducted in a peaceful manner and it was completed at about 7 pm, on 19th Feb, 2021. Panchnama was written by PI Vikram Damle. Both of us panchas have read the contents of the panchnama. The same is correctly recorded.

Signed PI Vikram Damle

Signed Panch No 1

Signed Panch No 2



EXHIBIT NO. 2

POST MORTEM REPORT

POST MORTEM FINDINGS FOR CASE NO: CR#211/2021-ML Case No. 87

BODY IDENTIFIED BY: Husband, Mr. Karan Jadhav

DATE AND HOUR OF STARTING AUTOPSY: 20th Feb 2021, 9:45 AM

DATE AND HOUR OF CONCLUDING AUTOPSY: 20th Feb 2021, 10:45 AM

1. NAME OF DECEASED: **Mrs. Sumana Karan Jadhav**
2. W/O: Mr. Karan Harish Jadhav AGE: 25 yrs SEX: Female
3. ADDRESS: Flat 301 Vishwashish CHSL, 94 Nehru Road, Vile Parle, Mumbai
4. HEIGHT: 5 feet 2 inches WEIGHT: 45 kgs PHYSIQUE: Malnourished
5. SPECIAL IDENTIFICATION FEATURES: scar on chin
6. POST-MORTEM CHANGES PRESENT: partial rigor mortis seen primarily in all limbs and extremities, post-mortem lividity seen on back and chest regions.
7. EXTERNAL APPEARANCE: The entire body is malnourished, showing skeletal structure. Both forearms and elbow joints show dried scars from eczema, and multiple fresh raised, red patches observed on right hand wrist region. Skin wrinkled and dry.
8. INJURIES: NA
9. INTERNAL: The brain has petechial hemorrhages, the heart is congested with multiple blood clots.
10. State which viscera have been retained for chemical examination (if any) and also quote bottle number containing the same
CR#211/2021 Bottle (1) contains 5 cc of blood + preservative and EDTA
CR#211/2021 Bottle (2) contains bowel for CA-drugs
11. Opinion as to Probable Cause of Death: pending CA

Signed: Dr. Ashwini Lad

Cooper Hospital Post Mortem Centre

Final CA Report (30th April 2021) – Unnatural. Cause of death due to pulmonary embolism.

EXHIBIT NO. 3

CHEMICAL EXAMINATION REPORT

FSL Case No: C-211/2021

Date: 20th February 2021

Total No. of pages: One

To: The Senior Police Inspector
Vile Parle (E) Police Station
Mumbai

1. Ref No: 392/2021 Date: 20th February 2021
2. No. of exhibits received: One P.S. :Vile Parle (E)
3. C.R. No: 211/2021 U/s: IPC 304B,498A,306
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 20th February 2021
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed bottle marked CR#211/2021-
Bottle (1) containing blood of Sumana Karan Jadhav
7. **Results of Analysis:** Exhibit contains A+ blood group
8. Analysis started on: 26th February 2021
9. Analysis completed on: 01st March 2021
10. Analysed by: Sd./ (B.B. Bhulewager)

Assistant Chemical Analyser in Government
Forensic Science Laboratories, Mumbai

EXHIBIT NO. 4

CHEMICAL EXAMINATION REPORT

FSL case No: C-211/2021

Date: 20th Feb 2021

Total No. of pages: One

To: The Senior Police Inspector
Vile Parle (E) Police Station
Mumbai

1. Ref No: 393/2021 Date: 20th February 2021
2. No. of exhibits received: One P.S. :Vile Parle (E)
3. C.R. No: 211/2021 U/s: IPC 304B,498A,306
4. Mode of Receipt: by P.C. No 030 Date of Receipt: 20th February 2021
5. Condition of parcel(s) / seal(s): One parcel, seals intact as per copy sent
6. Description of article(s) contained in the parcel(s): Sealed parcel containing one yellow wash cloth with red stain
7. **Results of Analysis:** Exhibit contains a red blood stain of blood group A+, consistent with blood group of Sumana Karan Jadhav
8. Analysis started on: 28th February 2021
9. Analysis completed on: 01st March 2021
10. Analysed by: Sd./ (B.B. Bhulewager)

Assistant Chemical Analyser in Government

Forensic Science Laboratories, Mumbai

EXHIBIT NO. 5

TOXICOLOGICAL EXAMINATION REPORT

MLC Case No: *ML87*

FSL Case No: *C-211/2021*

Date: *20th February 2021*

Total No. of pages: *One*

To: The CMO
Cooper Hospital Post Mortem Centre
Mumbai

1. Ref No: *394/2021* Date: *20th February 2021*
2. No. of exhibits received: *One* P.S. :*Vile Parle (E)*
3. C.R. No: *211/2021* U/s: *IPC 304B,498A,306*
4. Mode of Receipt: *by P.C. No 030* Date of Receipt: *20th February 2021*
5. Condition of parcel(s) / seal(s): *One parcel, seals intact as per copy sent*
6. Description of article(s) contained in the parcel(s): *Sealed bottle marked CR#211/2021-
Bottle (2) containing tissue of Sumana Karan Jadhav*
7. **Results of Analysis:** *Exhibit contains 1867mg of clomifene citrate, 18 mg alprazolam,
and traces of baricitinib.*
8. Analysis started on: *26th February 2021*
9. Analysis completed on: *01st March 2021*
10. Analysed by: *Sd./ (B.B. Bhulewager)*

Assistant Chemical Analyser in Government

Forensic Science Laboratories, Mumbai

APPENDIX 1: STATEMENTS OF DEFENCE WITNESSES**DW1 - Ajay Deokar**

Age: 39 years

Occupation: Supervisor – Dipika Call Centre

Address: Flat # 2104N, Raheja Prananjali Building, N.S. Road, Ashok Nagar, Juhu, Mumbai 49

Statement: I have been working at Dipika Call Centre for the past 8 years. I joined in January 2014. Sumana joined 1 year after me. We were very good friends, and even went on a few dates together, but then in 2018, she met Karan and she became serious about him. I was good friends with both Sumana and Karan. I even attended their wedding in 2019. Everything was fine between all of us. In Jan 2020, when I was on leave, I heard that Sumana had quit the Call Centre. I messaged her to check if everything was alright. She did not reply immediately. I was concerned so I sent Karan a similar message. It was Karan who replied that all was well but Sumana was keen on starting a family and so she had decided to quit work. I messaged Sumana again to congratulate her, and this time she replied immediately. I have the message – she said ‘Ajay, married life is fantastic, you should try it! Karan and I are so excited about having a baby – maybe you can be the Chacha when the baby comes-hahaha!’ This was on 29th Jan 2020. I am producing a printout of this WhatsApp message, along with the Certificate as required under the law.

It was many months later, on my birthday 25th July 2020, that I was next in touch with her. She texted me for my birthday and we started chatting. In the course of this conversation I asked her whether there was any good news, to which Sumana told me that her mother-in-law had taken her for some check-ups before lockdown and had started some treatment to help her to conceive. She told me that she and Karan had planned to go on a small vacation to Shimla, but due to the Covid pandemic the plans had to be shelved. I promised to continue to check in on her. I spoke with Karan a couple of days later and asked him how Sumana was and he informed me she was well. Thereafter for a few months I got very busy with the effects of lockdown and the hybrid work modules and so was unable to meet or talk to her.

In January 2021, I had called Sumana on her mobile, to wish her for New Year but Karan picked up the phone. We talked for some time with regard to persons we knew mutually in our friend circle, but I found him distracted and wanted to put the phone down. When I asked whether I could speak to Sumana, he informed me that they were going for a family function and Sumana was busy getting dressed, but she would call me back later. When I later had a word with Sumana, she seemed normal and happy and even spoke of going to Mauritius for a vacation with Karan in March 2021.

Therefore, I was in shock when I got Karan’s call on 21st February, 2021, to inform me that Sumana was no more and that she had taken an overdose of sleeping pills while he was at

work. I just could not understand why she took such a drastic step because both Sumana and Karan were very much in love and very happy together whenever I had spoken to them. Karan told me her parents were accusing him of killing Sumana and he needed me to come forward and share what I knew about Sumana's mental health.

DW2 -Dr. Nilesh Chikalkar

Age: 55 years

Occupation: Fertility specialist

Address: Room #110, Shubham Apartments, Juhu-Tara Road Juhu, Mumbai 49

Statement: I am a fertility specialist. Mrs. Malti Jadhav contacted me on phone about one year ago. She said her neighbour had given my reference as she was looking for a specialist for her son and daughter-in-law. I asked her son and daughter-in-law to do some routine tests before coming to see me.

I gave them an appointment for 21st June 2020. The whole family came to see me. Mrs. Malti, her son Mr. Karan, and her daughter-in-law Sumana. I remember them clearly because Sumana looked so unhappy and worried about not being able to conceive. The tests showed very clearly that the problem was with Sumana, but luckily it was not too severe, and easy for me to help them through medication. I prescribed the tablet Clomid 50 mg for 5 days and explained the whole process and timeline for treatment. Before prescribing medication to her, I asked her if she had any other health problems for which she was under medication, when she informed me that she was taking Tablet Abrocitinib for her Eczema. I immediately told her to discontinue this Tablet for the time period for which she was under my treatment, as Clomid and Abrocitinib, when taken together are known to have harmful effects such as blood clots, heart attacks and pulmonary embolisms. Mrs. Malti Jadhav assured me that she being at home, would also make sure that Sumana did not take the 2 tablets together. I trusted Mrs. Malti, as she seemed a caring mother-in-law. Infact, Mrs. Jadhav and Karan both kept repeatedly asking me whether Clomid would have any harmful effects on Sumana's health, since they did not want her health to be compromised in any manner.

I asked Sumana to call me after one course was over in case she had conceived. After the one cycle she had not conceived so we decided to repeat this again. Again she did not conceive. Again I advised a last round of medicines. This time when she returned in August 2020, she said she was having trouble sleeping as well, because she was worried. I explained that mental stress has a lot to do with the inability to conceive and she must relax. I prescribed some sleeping pills (Restyl 0.25) for her, for emergencies.

Then I got a call from Mrs. Malti sometime in October 2020, telling me that Sumana had not conceived and that she had decided not to continue with treatment and she would not be coming back to my clinic.

I told Mrs. Malti that if Sumana and Karan wanted to come and discuss options with me I would be happy to help them, but I never heard back from them until today, 24th Feb 2021, when PI Damle called me asking me to come to the police station. He informed me that Mrs. Sumana Jadhav was dead and the family suspected suicide, but Sumana's parents were accusing the Jadhavs of torturing her for dowry, and medicating their daughter with poisons on the pretext of helping her conceive a baby, but instead actually killing her.

I have come to give my statement, as her doctor, willingly. My statement was recorded by API Mane, read over by me and I confirm it has been correctly recorded.

Sd/-
API Mane

Sd/-
Dr. Nilesh Chikalkar

DW3 - Advocate Vinod Pophale

Age: 62 years

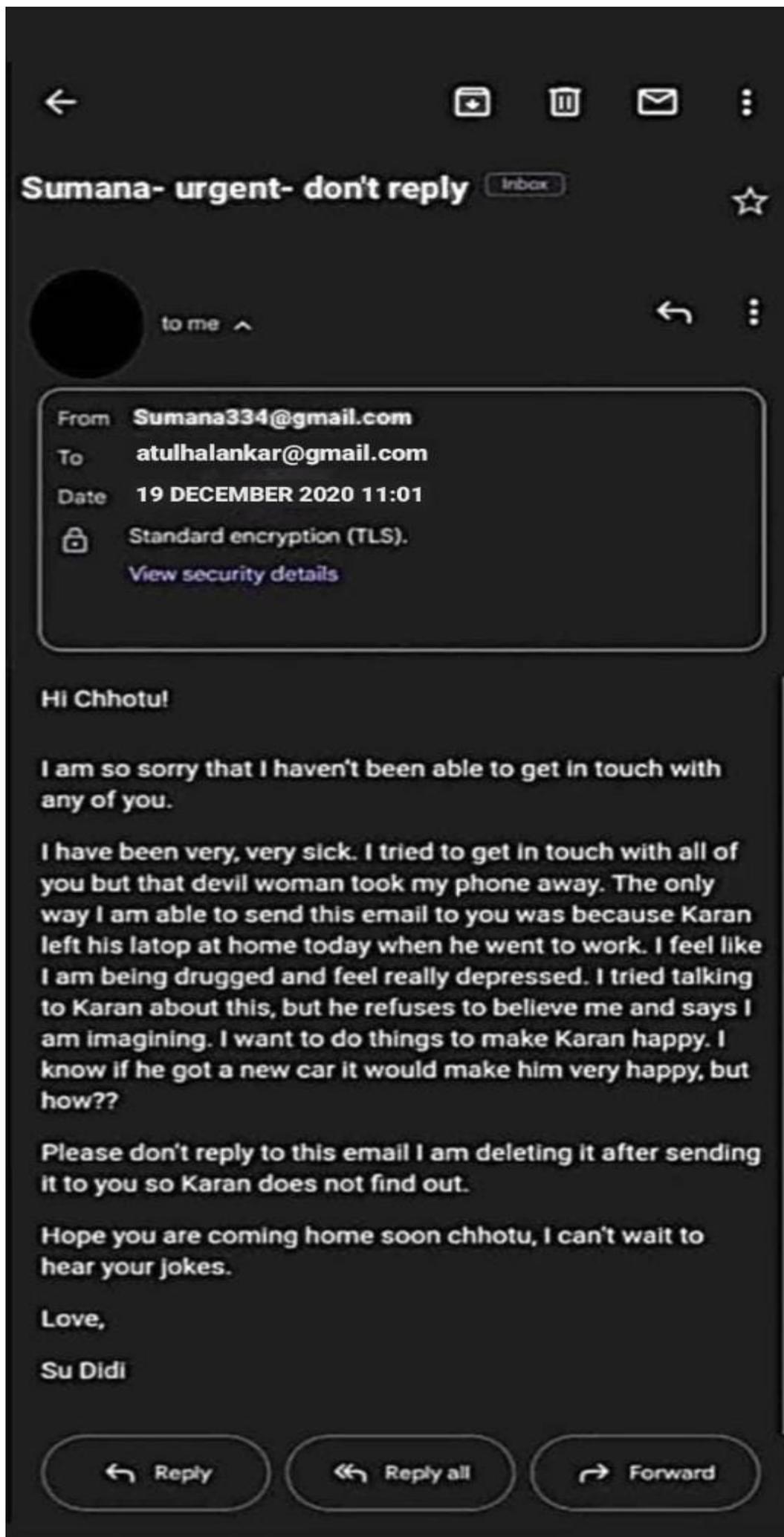
Occupation: Advocate, Legal Department of Modern Polyesters

Address: Vireshwar Prakash Society, Opp. BMC Office, Navpada, Vile Parle (E), Mumbai 400057

Statement: I am an advocate and I have been handling legal matters for the Jadhav family and all their businesses for the past 35 years. In my entire association with the family I have never known of them being involved in any legal disputes. In December 2019, shortly after Karan Jadhav got married, he had come to the office and asked me to draft his Will. He told me that now that he had a wife, he wanted to make sure that his affairs were in order and she would be well taken care of and secured, in case anything should happen to him.

I had 2-3 meetings with Karan to get instructions with respect to drafting of his Will. Then the pandemic hit and we were all working from home, and Courts were closed so this document was delayed. We finalized the details only recently in January 2021, and his wife Mrs. Sumana was named the main beneficiary and would inherit his share in the moveable and immovable properties. I was unable to take the hard copy of the Will for his signature, as I had to be hospitalised for cardiac problems and high BP. Then in end of February 2021, I got this call from Mr. Harish begging me to come to the house because his wife and son had been detained by the police.

Mr. Harish explained the tragedy of Mrs. Sumana's sudden death and how her parents were accusing the Jadhavs of foul play and torturing her mentally, on account of which she had expired. He asked me to come to Court and depose in their favour.

ANNEXURE - 1

ANNEXURE – 2

