

52. What was the cumulative effect of the girl's evidence, medical reports, etc ?
53. When was the accused examined medically ?
54. Were there any signs of injury on the private parts of the accused ?
55. Was the accused previously charged with abduction and after acquittal charged with rape ?
56. Whether the accused had committed rape on the prosecutrix ?
57. Whether the prosecution had proved its case beyond all reasonable doubt against the accused ?
58. Was the accused impotent or physically unfit to perform sexual intercourse ?
59. Whether the woman or her husband have any enmity with the accused?
60. Was there any enmity between the families of both ?
61. Whether the story had been cooked only to shield the acts of the woman and to earn the sympathy and to save reputation in the eyes of the society ?

Questions on unnatural offence (Section 377, IPC)

1. What was the corroboration for the complainant's version ?
2. Was the story of the complainant corroborated by any other testimony ?
3. Was the anus found to contain traces of semen ?
4. Whether the anus of the complainant had a smooth appearance, *i.e.* without hair ?
5. Was the anus funnel-like or of trumpet shape ?
6. Was there penetration of the male organ ?
7. Was the accused an unintelligent man with mental aberrations ?
8. Were there triangular sodomitic wounds ?
9. Whether the complainant was medically examined shortly after the offence ?
10. Was there any delay in the medical examination of the complainant ?
11. Whether there was any injury on the anus to suggest violence by the accused ?
12. Did the complainant or his relations have any grudge against the accused ?
13. Was there any motive to implicate the accused falsely ?
14. Was the accused feel any pain before he could thrust his organ ?
15. Was there cancer about the anus or gonorrhoeal discharge from the rectum ?
16. Whether the complainant had got a habit of such acts ?

Q. Was any body part broken?

Ans. Yes.

Q. Did you see the stomach?

Ans. Yes, I saw it.

Q. Was it full or partially full?

Ans. It was not full.

Q. What type of food was present in the stomach of deceased?

Ans. Semi-digested food was found there.

Q. Was anything uncommon in the food?

Ans. I am not food analyst.

Q. Was there any poisonous material inside food?

Ans. Only a Chemical Analyst who examined viscera can tell it.

Q. What can possibly be in viscera report?

Ans. This report tells what was taken by deceased and whether any poison was given or taken by her on own.

**Cross-examination of witnesses in case of offence
punishable under Sections 302, 307, 504, 506
read with 34 of Indian Penal Code, 1860**

Cross-Examination of Informant :

Q. Will you please tell your name?

Ans. I am A.K. Singh.

Q. What do you do?

Ans. I am working in a NGO.

Q. Did you lodge the FIR?

Ans. Yes, I lodged the FIR.

Q. Are you sure that this FIR was lodged by you?

Ans. Yes.

Q. Did you yourself write this FIR?

Ans. No, I did not write this FIR.

Q. Why did not you write FIR in your own hand writing?

Ans. Because I did not know how to write an FIR.

Q. Why did not you lodge FIR same day?

Ans. Because of fear and disturbed psychological state of mind.

6. क्या अग्न्यायुध द्वारा कोई क्षति कारित की गयी है ?
7. क्या हाथों और जाँघों में विनिर्दिष्ट क्षति कठोर सतह की सड़क पर गिरने के कारण हो सकती थी ?
8. क्या ऐसी क्षतियां स्वतः जैसे सड़क पर अथवा खुरदुरी सतह पर गिरने से कारित हो सकती हैं ?
9. इस व्यवसाय में आप कितने समय से हैं ?
10. क्या आप यह सोचते हैं कि इस प्रकार की क्षतियों के लिए कोई अन्य कारण हो सकता है ?
11. क्या यह सामान्य मार-पीट का मामला है ?
12. क्या क्षतियां गंभीर अथवा बिलकुल सतही हैं ?
13. क्या सभी क्षतियों पर कोई घाव नहीं हैं ?
14. क्या दो क्षतियां घाव कही जा सकती हैं ?
15. क्या कोई अग्न्यायुध की क्षति नहीं थी ?

**धारा 436, भा. द. स., 1860 के अधीन दंडनीय
अपराध में इत्तिलाकर्ता की प्रतिपरीक्षा**

1. क्या कृपया आप अपना नाम बता सकते हैं ?
2. इस स्थानीय क्षेत्र में आप कब से रह रहे हैं ?
3. क्या आप शिक्षित हैं ?
4. क्या आप अंग्रेजी समझ सकते हैं ?
5. क्या प्रथम सूचना रिपोर्ट स्वयं द्वारा लिखी गयी थी ?
6. यदि आप नहीं जानते हैं, तब कौन इसे लिखा ?
7. क्या यह केवल आपके मामले से संबंधित है ?
8. क्या आप उसी दिन पुलिस थाना गये थे, जब घटना घटी थी ?
9. आपने उसी दिन प्रथम सूचना रिपोर्ट क्यों नहीं दर्ज कराई थी ?
10. क्या आप किसी व्यक्ति के साथ थे ?
11. आपके साथ कितने व्यक्ति पुलिस थाना गये थे ?
12. आपके साथ एक पंचायत अधिकारी गया था, क्या वह आपसे संबंधित था ?
13. क्या आप प्रायः उस पंचायत अधिकारी के साथ पुलिस थाना का अवलोकन किये ?
14. आप वहां कितनी देर तक रहे ?
15. क्या आप सभी की पुलिस अधिकारी के साथ बैठक हुयी थी ?
16. क्या यह सत्य है कि आपकी प्रथम सूचना रिपोर्ट कांस्टेबिल द्वारा लिखी गयी और पुलिस थाना प्रभारी द्वारा अधिदेशित की गयी थी ?
17. आप प्रथम सूचना रिपोर्ट की प्रति कब प्राप्त किये ?
18. क्या पंचायत के लिए चुनाव आयोजित किया गया था और आपका मित्र निर्वाचन का भारसाधक था ?

Q. Can you tell why both accused did not come to you when did they say about Hari ?

Ans. Silence ..

Proposition.—Accused acquitted, due to false evidencing by witness.

Cross-examination of guilty wife :

Q. You are a married woman supported by your husband. How did you like living with this unknown man, who already has wife and children ?

Ans. I am not in control of my own.

Q. Do you think that were you correct ?

Ans. I think so.

Q. Recent immoral relations are necessary in life of a girl, is it correct?

Ans. Yes, I feel so.

Q. Are you principally familiar with new man ?

Ans. It can be so.

Q. What do you think about moral principle ?

Ans. I agree.

Q. What suit is not suitable to any body ?

Ans. It is my liking.

Q. Is person wanting custody of your children your principal?

Ans. It is applicable on fully grown person and not me.

Q. Can you tell what is adult ?

Ans. A fully grown is adult.

Q. I think unless a woman reach 18 she is fully grown up?

Ans. Yes, you are right.

Q. Is it good to be intercoursed by other when husband is alive ?

Ans. No, it is wrong.

Q. As per you after 18 it is correct.

Ans. It varies, some grow up fast and some not .

Q. Is it proper for other women ?

Ans. I would not like that my children to do it.

Q. After attaining age of 18 ?

Ans. I will not allow that my daughter to follow me.

Cross-examination of Hand writing expert :

Q. What is your name?

Ans. My name is Sudhir Sharma.

प्रश्न:—यह पत्र यह कहता है कि हितग्राही अंतरण का कोई पक्षकार नहीं होगा, क्या यह सही है ?

उत्तर:—हां, यह सही है।

प्रश्न:—इसके अनुसार प्रमाणिक हितग्राही अगले संव्यवहार में कोई पक्षकार तब तक नहीं होगा, जब तक नया पत्र न दिया जाय ?

उत्तर:—वह व्यवहार अब नये संव्यवहार में समाप्त हो गया है, नया भाग वहां नहीं होगा।

धारा 366 और 376, भा. द. श. 1860 के अंतर्गत बलात्कार के मामले में साक्षी की प्रतिपरीक्षा

प्रश्न:—कृपया आपका नाम क्या है ?

उत्तर:—मैं शालिनी हूं।

प्रश्न:—आप अभियुक्त को कितने समय से जानती हैं ?

उत्तर:—मैं उसे पिछले 4 वर्ष से जानती हूं।

प्रश्न:—उसका सामान्य स्वभाव क्या है ?

उत्तर:—वह बिल्कुल सामान्य, कुशाग्र बुद्धि वाला लड़का है।

प्रश्न:—क्या वह स्थानीय क्षेत्र में सभी से मिलता है ?

उत्तर:—हां, वह बहिर्मुखी है।

प्रश्न:—क्या उसकी माता उसे उसके माता-पिता के साथ सोने के लिए बुलाती थी ?

उत्तर:—हां।

प्रश्न:—क्या अभियुक्त आपको स्कूटर पर ले गया था ?

उत्तर:—हां।

प्रश्न:—क्या आप पिछले सवार के रूप में बैठी थीं ?

उत्तर:—हां।

प्रश्न:— इसका तात्पर्य यह है कि आप उसके पीछे बैठी थीं ?

उत्तर:—स्पष्ट रूप से।

प्रश्न:— किक मार करके चालू करने के पश्चात् आप उसके पास आ गयीं ?

उत्तर:—हां।

प्रश्न:—उसने अब और तब ब्रेकों का प्रयोग किया ?

उत्तर:—हां, यातायात के आधार पर।

प्रश्न:—आप उसकी कलाई पकड़े हुए थे ?

उत्तर:—वह स्वाभाविक है।

प्रतिपादना—अभियुक्त ने कोई अपराध कारित नहीं किया।

बलात्कार की गयी महिला की प्रतिपरीक्षा

प्रश्न:—कृपया आपका नाम क्या है ?

उत्तर:—आप मुझे शिप्लाबेन कह सकते हैं।

You are speaking in favour of prosecutrix because you are a good friend of hers. You are speaking against accused that is why he did not like you.

Cross-examination of Investigation Officer :

1. What is your name?
2. Where do you live?
3. Were you present when prosecutrix came to lodge FIR?
4. Have you dictated FIR?
5. Who put it on paper?.
6. Did you go to place of occurrence?
7. Did you meet any witnesses?
8. Was there a watchman?
9. Did you get any independent witness?
10. Have you kept underwears of accused and prosecutrix?
11. When did you send them for chemical examination?
12. Did you visit call centre for investigation purpose?
13. How many people you meet there?
14. For how many times you go to the call centre for taking evidence of colleagues of prosecutrix?
15. Did you get any clue?
16. Was manager of call centre arrested?
17. What was the view of colleagues of prosecutrix?
18. You prepared site plan with whose assistance?
19. Did you call any witness to record evidence under Section 161 of Cr. PC?
20. Did accused give any new clues?
21. Why you did not arrest accused?
22. After how many days of lodging FIR, you could go to record statements of all witnesses?
23. Was the report of chemical analyst positive?
24. Did you record statement of female colleagues?
25. With whom prosecutrix came to police station second time to see progress of case?
26. What did watchman of call centre told you?
27. Was there any facility to dine at call centre?
28. How many people can sit in occurrence room?
29. Was there light in room where occurrence took place?
30. Was there any window from where any body could look in?
31. Did you visit chamber of accused officer?