

CHARGE SHEET
(Under Section 173 Cr. P.C)

**IN THE COURT OF SPECIAL COURT/SESSIONS COURT,
SOUTH GOA, MARGAO**

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| 1 | Name of the Investigation Agency. | National Investigation Agency (NIA). |
| | FIR No and date | 07/2009 and 08/2009- NIA Dated 11/12/09 (Original CR No 338/09 of PS Margao & 114/09 of Verna PS) |
| 2 | Final Report/Charge Sheet No. | 06. of 2010. |
| 3 | Date | 01/12/2010 |
| 4 | Sections of Law. | u/s 120-B, 121-A, 201, 420, 468, 471 IPC , 16, 18, 23 of Unlawful Activities (Prevention) Act, 1967 and 3, 4 & 5 Explosive Substances Act 1908 |
| 5 | Type of Final Report. | Supplementary Charge sheet |
| 6 | If Final Report Un-occurred/ false/ Mistake of fact/Mistake of law/Non-Cognizable /Civil Nature. | Not Applicable. |
| 7 | If Charge-sheeted: Original / Supplementary. | Supplementary Charge Sheet |
| 8 | Name of Investigation Officer. | |
| 9 | Name of the Complainant/ Informant. | |

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| 10 | Details of Properties/ Articles/ Documents recovered/seized during the investigation and relied upon: | As per the list enclosed. |
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(11) (1) Particulars of accused persons charge sheeted:

Name : Prashant Ashtekar (mentioned
 at Serial no. 10 in the column no. 12
 of the earlier chargesheet as
 accused not sent for trial)

Whether verified : Yes

Father's Name :

Year/Date of Birth : 15-03-1987

Sex : Male

Nationality : Indian

Passport No. : Not issued

Date of issue : NA

Place of issue : NA

Religion : Hindu

Occupation : Sadhak(Seeker)

Address (Present) :

Address (Permanent) : -do-

Whether verified : Yes

Provisional Criminal No. : NA

Regular Criminal No. (If known) : NA

Date of Arrest : 08/06/2010

Date of release on bail : under judicial custody

Under Acts & Sections (of charge sheet) : u/s 120-B, 121-A, 201 IPC, 16,
18, 23 of UA (P) Act, 1967 and 3, 4 &
5 Explosive Substances Act 1908

Name(s) of bailer/sureties and address : N.A.

Previous convictions with case reference: N.A.

Status of the accused : under judicial custody

(2) Particulars of accused persons charge sheeted:

Name : Prashant Juvekar (mentioned at
Serial no. 11 in the column no 12 of
the earlier charge sheet as accused
not sent for trial)

Whether verified : Yes

Father's Name :

Year/Date of Birth : 24-04-1986

Sex : Male

Nationality : Indian

Passport No. : N.A.

Date of issue : NA

Place of issue : NA

Religion : Hindu

Occupation : Sadhak(seeker)

Address (Present) :

Address (Permanent) : -do-

Whether verified : Yes

Provisional Criminal No. : NA

Regular Criminal No. (if known) : NA

Date of Arrest : 06/08/2010

Date of release on bail : under judicial custody

Under Acts & Sections : u/s 120-B, 121-A IPC, 16, 18,
(of charge sheet) 23 of UA (P) Act, 1967 and 3, 4
& Explosive Substances Act
1908
Name (s) of bailers/sureties (of charge sheet) : N.A.
Previous convictions with case reference : N.A.
Status of the accused : under judicial custody

(3) Particulars of accused persons charge sheeted:

Name : Vinayak Patil (mentioned at Serial
no. 4 in the column no 11 of the
earlier charge sheet)
Whether verified : Yes
Father's Name :
Year/Date of Birth : 26.08.1979
Sex : Male
Nationality : Indian
Passport No. : N.A.
Date of issue : NA
Place of issue : NA
Religion : Hindu
Occupation
Address (Present)

Address (Permanent) : -do-
Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (if known) : NA
Date of Arrest : 20/11/2009
Date of release on bail : under judicial custody

**Under Acts & Sections
(of charge sheet)**

: u/s 420, 468 and 471 IPC (sections
120-B, 121-A, IPC, 16, 18, 23 of
Unlawful Activities (Prevention) Act,
1967 and 3, 4 & 5 Explosive
Substances Act 1908
as per earlier charge sheet)

Name (s) of bailers/sureties (of charge sheet) : N.A.

Previous convictions with case reference : N.A.

Status of the accused : under judicial custody

(12) Particulars of accused persons - not charge-sheeted.

i. Name : Jaiprakash @ Anna (mentioned at
Serial no. 07 in the column no 12 of
the charge sheet as accused not
sent for trial)

Whether verified : Yes

Father's Name : Not available

Year/Date of Birth : Not available

Sex : Male

Nationality : Indian

Passport No. : N.A.

Date of issue : N.A.

Place of issue : N.A.

Religion : Hindu

Occupation : Sadhak(Seeker)

Address (Present) :

Address (Permanent)

Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (if known) : NA
Date of Arrest : absconding
Date of release on bail : N.A.
Name (s) of bailers/sureties : N.A.
(of charge sheet)
Previous convictions with case reference: N.A.
Status of the accused : absconding

ii. **Name** : Rudra Patil (mentioned at
Serial no. 08 in the column no. 12 of
the charge sheet as accused not
sent for trial)

Whether verified : Yes
Father's Name : Sh. Revgonda Patil
Year/Date of Birth : Not available
Sex : Male
Nationality : Indian
Passport No. : N.A.
Date of issue : N.A.
Place of issue : N.A.
Religion : Hindu
Occupation : Sadhak (Seeker)
Address (Present) :

Address (Permanent) :

Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (if known) : NA

Date of Arrest : absconding
Date of release on bail : -----
Name (s) of bailers/sureties (of charge sheet) : N.A.
Previous convictions with case reference : N.A.
Status of the accused : absconding

iii. Name : Sarang Akolkar @ Sarang kulkarni
(mentioned at Serial no. 09 in the
column no 12 of the charge sheet as
accused not sent for trial)

Whether verified : Yes
Father's Name : Dilip Akolkar
Year/Date of Birth : Not available
Sex : Male
Nationality : Indian
Passport No. : N.A.
Date of issue : N.A.
Place of issue : N.A.
Religion : Hindu
Occupation : Sadhak(Seeker)
Address (Present) :

Address (Permanent) :

Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (If known) : NA
Date of Arrest : absconding
Date of release on bail : N.A.
Under Acts & Sections (of charge sheet) : _
Name (s) of bailers/sureties (of charge sheet) : N.A.
Previous convictions with case reference : N.A.

Status of the accused : absconding

iv. **Name** : Pravin Limkar
Whether verified : Yes
Father's Name : Ramesh Limkar
Year/Date of Birth : Not available
Sex : Male
Nationality : Indian
Passport No. : N.A.
Date of issue : N.A.
Place of issue : N.A.
Religion : Hindu
Occupation :
Address (Present) :

Address (Permanent) :

Whether verified : Yes
Provisional Criminal No. : NA
Regular Criminal No. (If known) : NA
Date of Arrest : absconding
Date of release on bail : N.A.
Under Acts & Sections (of charge sheet) :
Name (s) of bailers/sureties (of charge sheet) : N.A.
Previous convictions with case reference : N.A.
Status of the accused : absconding

(13) (i) Particulars of witnesses to be examined : As per the list enclosed

(ii) Particulars of documents to be relied upon: As per the list enclosed

(iii) List of Articles

- (14) If FIR is false, indicate action taken or proposed to be taken u/s 182/211 IPC : Not applicable
- (15) Result of laboratory analysis : As per the list enclosed.

(16) **Brief facts of the case:** The brief facts of the case are that on 16/10/09 at about 21.30 hrs a blast occurred near Reliance Trade centre, in front of J & N Boutique, V.V. Road, Margao Goa, when the accused person Malgonda Patil R/o and Yogesh Naik S/o Ponda Goa were carrying Improvised Explosive Device (IED) in the dickey under the seat of an Etemo Scooter bearing Regn. No. GA-05 A-7800 for carrying out subversive activities of sabotage in the Narkasur effigy competition near Municipal building, Margao on the eve of Diwali festival. They sustained injuries due to said explosion. Accordingly Crime 338/09 of Margao P S was registered on 16.10.2009 u/s 120-B, 121 (A) 122, 123, 427 IPC r/w 16, 17, 18 & 23 of UA (P)Act1967, as amended in 2008 and sec. 3, 4 & 5 of Explosive Substance Act 1908.

Further on 16/10/2009 at 2230 hrs, on receipt of information PS rushed to the spot, near Shantadurga Temple, Sanchaole and noticed that there was a bag which was suspiciously lying on the ground adjacent to the road and as such the Sub Inspector summoned the services of bomb detection and disposal squad (BDDS). The members of BDDS defused the explosive device which consisted of 4 gelatine sticks (Explosive), four electric detonators alongwith wires, box containing electric circuits with two 9 volts batteries and a clock. Accordingly, a case in Crime 114/09 of Verna PS was registered on 16.10.2009 u/s 121(A), 122, 123, 120-B, 427 IPC R/w 16, 17, 18, 23 of Unlawful Activities (Prevention) Amendment Act 2008, section 4 & 5 of Explosive Substance Act 1908 and sec. 6 & 9 (B) (2) of Explosive Act 1884.

The above two cases were investigated by a team of Police Officers of SIT, Goa till 24/12/2009. Vide Order No 17011/116/2009-IS-VI dated 09/12/2009 Government of India, Ministry of Home Affairs (IS-I Division) directed NIA to take over the cases mentioned above for investigation. Accordingly, in compliance of the order of Government, the National Investigation Agency registered the cases Crime No 07/2009 of NIA (Margao PS Crime No. 338/09) and 08/2009 of NIA (Verna PS Crime

No. 114/2009) on 11/12/2009. On 17.05.2010, NIA had filed a combined charge sheet in this Hon'ble court and is under trial. The further investigation has been conducted u/s 173 (8) of Cr. PC after obtaining due permission from this Hon'ble Court on 24.05.2010

17. **Facts Disclosed During Investigation:**

The NIA case crime numbers 07/2009 and 08/2009 were registered on 11.12.2009, original FIR of both the cases have already been submitted to this Hon'ble court. A combined charge sheet was filed on 17.05.2010 in both the cases. The charges have already been framed and the trial is at the stage of recording of prosecution evidence.

The further investigation was taken up u/s 173 (8) Cr. PC after obtaining due permission from this Hon'ble court on 24/05/2010 against the accused mentioned in the column no.12 of the earlier combined charge sheet i.e. the accused yet to be traced and apprehended and thus not sent up for trial.

The further investigation undertaken u/s 173(8) Cr. PC has been concluded only against the two accused persons namely Prashant Ashtekar and Prashant Juvekar.

The further investigation u/s 173(8) revealed that the accused Prashant Ashtekar (brother of charge sheeted accused Dhananjay Ashtekar) against whom non bailable warrant of arrest was pending, arrested on 08/06/2010. The investigation revealed that in pursuance to a criminal conspiracy, Prashant Ashtekar in connivance with another accused Parveen Limkar removed the hard disk of the computer kept in the rented room of Dhananjay Ashtekar at Ichalkaranji, Kolhapur, Maharashtra and destroyed the same with the intention that the same may not be seized by the Police as they were aware that Dhananjay Ashtekar had modified the Circuit diagrams downloaded from the internet for the purpose of preparation of Improvised Explosive Devices (IEDs) used in the instant cases.

The further investigation with regards to the accused Prashant Juvekar who was arrested on 06/08/10 has revealed that in pursuance to the criminal conspiracy, he had actively participated in preparation and conduct of the test blasts at the hillock behind the residence of Laxmikant Naik at Talaulim, Ponda, Goa alongwith Malgondya Patil, Yogesh. Naik, Sarang Akolkar@Kulkarni, Dhananjay Ashtekar, Jaiprakash @ Anna, Vinay Talekar and Dilip Mangaonkar which finally culminated into commission of a terrorist act on 16.10.2009 by way of explosion and planting of IEDs in the instant cases.

During the further investigation, the Report of Deputy Government Examiner of GEQD, Hyderabad has since been received which proves Forgery on the part of accused Vinayak Patil relating to the signature of Ms. Sonia Gaonkar on 15.10.2009, for purchase of a SIM card of Vodafone used for the commission of crime relating to terrorist activities, on the next day i.e. 16.10.2009. The CFSL opinion dated

31.05.2010 of

Hyderabad established that the wearing apparels of accused Vinayak Patil contained ingredients of explosive substances. CFSL,

The aforesaid incriminating evidence thus establish commission of offences punishable u/s 420, 468 and 471 IPC on the part of accused Vinayak Patil and he is liable to be prosecuted for the same in addition to the offences already mentioned in the earlier charge sheet i.e. u/s 120-B, 121-A IPC, section 3, 4 and 5 Explosive Substances Act, 1908 and section 16, 18 and 23 of UA (P) Act, 1967.

Various CFSL reports have been received from Hyderabad which further corroborates the evidence collected against the accused persons including the accused already charge sheeted, the details of the same have been mentioned in the enclosures.

During the further investigation, all out efforts were made to trace and apprehend the remaining accused namely i) Jaiprakash @Anna; ii) Sarang Akolkar @ Sarang Kulkarni iii) Rudra Patil and iv) Pravin Limkar but could not be traced till date as such investigation against them could not be concluded.

Sanction for prosecution of Prashant Ashtekar and Prashant Juvekar u/s 196 Cr. PC, 45 (2) of UA (P) Act 1967 as amended in 2008 obtained from the competent authority and is enclosed.

18. CHARGE

1. Prashant Ashtekar u/s 120- B, 121-A, 201 IPC, section 3, 4, and 5 Explosive Substances Act 1908 and 16, 18, 23 of UA (P) Act 1967.
2. Prashant Juvekar u/s 120-B, 121-A, IPC, section 3, 4 and 5 Explosive Substances Act 1908 and 16, 18, 23 of UA (P) Act 1967.
3. Vinayak Patil u/s 420, 468, 471 IPC in addition to already facing charges u/s 120-B, 121-A IPC, section 3, 4 and 5 Explosive Substances Act 1908 and 16, 18, 23 of UA (P) Act 1967.

It is, therefore, prayed that this honourable court may be pleased to take cognizance of the case and issue process to the accused persons and dispose the case according to law.

- 23. Despatched on :
- 24. No. of enclosures :
- 25. List of enclosures :

Officer submitting the Final
Report/Chargesheet