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## Jerking Caused Firing in a Moving Vehicle:- A Case History

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**Abstract:** *The investigating officer of the case narrated that HDFC bank had to deposit a cash of rupees 150 crores in the head office. The police protection was provided to the van consisting five members. All the police persons and the bank officers deputed for the purpose boarded in a vehicle Innova. The cash was loaded in another van and the same was followed by the Innova vehicle. The cash was handed over to the head office safely, the van was ready to return back to its branch. Some of the team members decided to stay at the same place while the remaining again boarded in the vehicle. There were three rows for sitting in the vehicle. In the front row one bank officer was sitting on the adjacent with the seat of driver, in the middle row three persons seating capacity was there but only one police inspector was sitting on the left side while in the last row of the vehicle only one police constable was sitting with his carbine. All had consumed alcohol excepting the driver. When the Innova car was in the way then one of the occupants said to stop the vehicle on any hotel/restaurant/dhaba so that they may take their dinner. The driver of the vehicle told that all the occupants were sleeping and he was searching any hotel/restaurant. After some time they were about to sleep, and the vehicle was moving ahead. In between this the carbine of the police person who was on the last row seat, got fired. All the ten cartridges of magazine were got fired automatically. The bullet crossed the middle seat and after crossing it one of the bullets injured the driver of the vehicle while some bullets crossed the body of the vehicle. The police person and all the other occupants were got afraid that what had happened, how firing was done who did firing and why. The concerned police person sitting on the last seat got terrified and told that he don't know anything how the carbine had fired. He further added that he was sleeping also and on hearing the firing he got up. Thereafter the vehicle was stopped and brought into the concerned police station. The ballistics expert was called for ascertaining the reasons of firing. The investigating officer further added that he want to ascertain whether it was a case of accidental firing or otherwise.*

**Keywords:** *Carbine, fired cartridge cases, fired bullets, blackening, tattooing, reconstruction of the scene of crime etc.*

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### **Examination of the vehicle**

The said Innova vehicle was examined in the premises of the police station concerned. All the occupants were asked to board in the vehicle who were boarding at the time of incident and further they were asked to get their old position in the vehicle which they were having at the time of incident. The said positions were noted and it was observed that the back of the middle seat (which was in front of the police person, sitting in the last row, whose carbine has got fired) is having a big blackening which was indicating that the firing has been done from a close range. There were multiple through and through holes on the seat and body parts of the vehicle. The front right side window pan was found broken and missing in the present condition. All the fired cartridge cases were recovered from inside the vehicle. The police person was asked by me to narrate the story what happened. He told me that he as well as other occupants excepting the driver had consumed the alcohol. We were in search of the hotel/dhaba to get the dinner. The driver was directed by them to locate the hotel/dhaba and to stop the vehicle he further added. In between he got asleep by having his carbine in loaded position in the lap and after some time the carbine had fired. On hearing the firing he wake up and he was confused what had happened. He further added that when he looked his carbine the trigger of his carbine was found entangled in his shirt which may have caused the said firing.

### **Examination of the spot**

I asked the investigating officer to take the said vehicle on the spot of incident by boarding all the occupants and I also joined the vehicle on the adjacent seat of the last row where the police person was sitting. Some broken glass pieces were found scattered on the spot which were taken in the custody for further examination, however, no other fired cartridge case or fired bullet could be recovered from the spot. After examination of the spot we again boarded in the vehicle and the driver was asked to run the vehicle on the same speed which was at the time of incident. When we were moving the vehicle at the place of incident with almost same speed, I saw that the vehicle got jumped on a particular point, it got a jerk. The vehicle was turned back and the same was repeated again and again and it was observed that it got jerking every time on a particular point.

### **Laboratory examination**

Chemical test were performed on the carbine for ascertaining whether the firearm has been fired or not. After it confirmation test firings were done from the

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alleged carbine in the Forensic Science Laboratory and the fired cartridge cases recovered from the vehicle were compared with the test fired cartridge cases fired from the said carbine were examined and compared in the laboratory. On confirmation that the fired cartridge cases recovered from the spot have been fired from the said carbine, then some experiments were also conducted in the laboratory.

The said carbine loaded with cartridge without projectile was given to a police person, the trigger of the carbine was entangled with the shirt of the police person, and the trigger was pulled by entangling with the shirt and it was observed that the carbine has fired a shot. The experiment was repeated again and again and it was observed that the said carbine can do firing if and if only it is in cocked position and ready to fire in position.

### **Inferences/Conclusions**

On the basis of the examination of the vehicle, matching of the fired cartridge cases with the said carbine, feeling jerk on a particular point at the spot experiment done in the laboratory and the story told by the police person that his shirt was entangled with the trigger of the shirt and due to heavy jerk it got fired were found correlating. Therefore it was concluded that it may be the case of accidental firing which may have been caused by jerking.

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