

16. Whatever stated by me in my evidence affidavit is true and correct and in token thereof I have signed the affidavit.

Date : 31.08.2024

(M. P. Saraf)
Metropolitan Magistrate,
58th Court, Bandra, Mumbai.

Cross examination of CW-01- Rajani Rajesh Kahar by advocate Mr. Santosh Shinde for the accused :

17. I am house wife. It is true to say that my husband is serving in Indian Railway. It is true to say that we were staying in Railway Quarters. It is true to say that I am possessing my own room at Vakola, Dawari Nagar. I am knowing accused since when he was residing at Dawari Nagar through my husband. It is not true to say that the room rented to us was to my husband and not to me. Now I am shown Leave and Licence Agreement Exh.21. It is true to say that the document is attested before Notary. It is not true to say that we have not signed the Agreement in presence of Notary G.S.Sonkar. It is not true to say that we never stayed in the room of accused during Agreement period from 01.05.2017 to 31.03.2018. It is true to say that during said period my husband was staying separate from me in Railway colony. It is true to say that during said period I had rented my own room at Dawari Nagar to third party. I am not assessable to Income Tax. It is not true to say that I have prepared a false Agreement Exh.21. It is not true to say that I myself made the signatures over the Agreement. I had not paid monthly rent as the room was obtained on heavy deposit. It is true to say that the second Agreement dated 01.04.2018 is not notarized. It is not true to say that I have prepared the Agreement Exh.23, forged signatures of accused and produced. It is true to say that as per my say, I was staying in the room during period of second Agreement from 01.04.2018 to 28.02.2019 separately from my husband. It is true to say that my husband was staying separate from me in Railway colony during said period. It is true to say that

the room owned by me in Dawari Nagar is given on rent. Said room belongs to my mother in law and not me. It is not true to say that my husband had given Rs.1,50,000/- on interest to the accused. It is not true to say that the transaction was in between my husband and accused. It is not true to say that therefore only Rs.1,35,000/- was paid by cheque to the accused deducting the amount of interest of Rs.15,000/-. It is not true to say that after end of period of Agreement my husband has regularly received interest from him. It is not true to say that I had obtained blank cheques towards security from the accused.

18. Now I am shown cheque Exh.24. The name of payee on the cheque is written by me. The rest of the contents as to amount in words and figure on the cheque is written by my daughter as I was not aware the spelling of thousand. It is not true to say that the cheque was obtained from accused against the money advanced by my husband to the accused on interest. It is not true to say that the Leave and Licence Agreements produced by me are false and forged. It is not true to say that I never stayed in said room during the period of Leave and Licence. It is not true to say that as accused failed to pay interest to my husband during Lock Down period, I misused the cheque.

19. It is not true to say that accused has not received the demand notice sent by my advocate. It is not true to say that my husband is doing illegal money lending business. It is not true to say that I have misused the cheque of accused taken towards security.

Cross examination is over.

No Re-examination.

R.O.A.C.

Date : 31.08.2024

(M. P Saraf)
Judicial Magistrate, First Class,
58th Court, Bandra, Mumbai.
J.O.Code :MH01362

CERTIFICATE

I affirm that the contents of this P.D.F. file evidence are same, word to word as per the original evidence.

Name of Stenographer : Mrs. Aditi Ravikiran Dalvi

Court : Judicial Magistrate First Class, 58th Court, Bandra, Mumbai.

Dictated in open court on : 31.08.2024.

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