

Witness present and duly sworn on 14.08.2025
Further cross examination by Sri.SAM Advocate for
Accused:-

In my bank account, I had only Rs.2,00,000/-, thereby I transferred two lakhs to the accused through bank. The accused requested to pay remaining amount by way of cash, hence I paid Rs.2,80,000/- by way of cash. Prior to presentation of cheque, the accused has permitted me to honor the cheque over phone. I deposed the above said fact in my chief affidavit.

4. I communicated about dishonor cheque to the accused through text message. I have not produced the said document before this court. It is true to suggest that other than Ravi's word, no other prior transaction between me and the accused. The accused promised me to honor the cheque over phone. Before lending money, I did not ask the accused to execute an agreement with regard to sanction of loan.

5. I did not ask any other documents other than cheque for payment of cash of Rs.2,80,000/-. I am an income tax assess e. I did not declare sanctioning of loan amount in my ITR. I only filed ITR for my salary, but I have not shown about loan in it.

6. At the time of lending amount, the accused assured me to repay the loan amount within a one year, however, he sought another six months time, thereafter he dodged to pay the amount, finally he issued cheque in

question. I have stated the above said fact in my chief affidavit. During the said period, I did not take any legal action against the accused for non payment of loan amount. Accused promised to repay the loan amount, thereby I did not take any legal action against him.

7. I paid the loan amount to the accused in the presence of Ravi. I can examine Ravi before this court as a witness. The accused has replied to my notice on 12.08.2024. I acknowledged the same in the PCR. I do not agree the averments stated in the reply notice. I have gone through the contents stated in the reply notice. It is true to suggest that I did not give any explanation in my PCR about para-4 of reply notice dtd:12.08.2024.

Question: Was any impediment to explain the said fact in my PCR?

Ans: I thought that the said fact is not necessary, therefore I have not stated the same in my PCR.

Re-examination: Nil.

(Computerised to my dictation in the Open Court).

R.O.I. & A.C.

II Addl. Judge