

**IN THE COURT OF THE XXXII ADDL.C.J.M., BENGALURU.**

**C.C.NO.845/2017**

Duly sworn on 30.11.2024

**Further cross examination of P.W1 by Learned Sri.ADR  
Counsel for accused.**

I retired from the Army service on 20.03.1995, I was Lt. Colonel in the said Military. My qualification is Msc. And I did my M.Sc.in 1992. I joined the military in 1971. I know Law, as I was working as Military officer. I have not conducted any enquiry other than the Noble Software company Pvt.Ltd and the accused. I am not sure about the provision of law about the enquiry officer. In the sense I am not sure it means that I am not sure. No I have not read the Company Law book, It is false to suggest that I am not aware of the Company Law. Company will prepare Article of Association. I am not sure when the Article of Charges was prepared. I do not remember when I received the article of charges. I do not remember whether I received before or after article of charges, I do not remember whether I issued articles of charge to the accused. I do not remember what I did from the article of charges. I do remember whether I received any other documents along with the articles of charge.

All the original documents are from the print out which are shown to me and it is in the computer system. I not remember whether the computer system was produced before court. I have not confiscated the computer system. In the said enquiry police

did not come, as he was not part of the enquiry. I do not remember whether the police asked me about the confiscation of the computer system and documents during investigation. IN the office I verified all the original documents. I am not sure whether the original documents are available in the office. I do not remember as to how many occasions I sat as an enquiry officer. I do not remember whether on one occasion I sat as an enquiry officer. I do not remember even on looking into the enquiry report as to on how many occasions I sat as an enquiry officer. I being an enquiry officer I should know that signature has to be taken on the document as to who produced it. I am not sure as an enquiry officer according to Evidence Act about marking of copies of documents or not. I have not recorded as to who were all present during the period of enquiry and who assisted me while enquiry. I have not taken any Advocate, but the Company appointed an Advocate at the time of enquiry. It is false to suggest that I did not permit the accused to appoint an advocate. It is true to suggest that the name of the Advocate is not mentioned in the enquiry report. I do not remember the Advocate's name is Hemanth. I am not sure whether the copies of the documents can be marked in the Evidence Act. I do not remember whether I read the article of charges.

It is true to suggest that in page no.103 and 107 signature of only Vijay Kumar is taken, as others are not concerned to it. From

1999 to 2012 I worked as an Managing Director at Noble Software System Private Limited.

*(Due to paucity of time further cross examination is deferred)*

(Typed to my dictation in the open court).

R.O.I. & A.C

(Keshava.K.)

XXXII ACJM. Bengaluru.