

IN THE COURT OF IV ADDITIONAL CHIEF METROPOLITAN
MAGISTRATE, BANGALORE.

CC No. 5688/2009

PW: 2

Name : Nihal Singh
Father's name : Birjpal
Age : 35 Years
Occupation : Business
Residence : Uttar Pradesh.
Duly sworn on : 20.12 .2019.

EXAMINATION IN CHIEF BY Sri.Y.H.V:

In 2007-08 I was working in Palada Agro Research Foundation Pvt. Ltd. I was working as supervisor of organic mint project. Palada Agro used to produce organic mint and to enhance the quality of mint and improve the soil fertility. In 2007, accused and one Srinath, they came to our place and we made a group for organic mint cultivation. The agreement between farmers and company was executed and as per the agreement the company will purchase and farmer will grow as per the in instructions of the company. Accused was the project manager. I was the supervisor and was looking after all the transaction and farmer training and purchase. After the first crop comes, the company told me to open an account in State Bank. I have opened the account and company

deposit money in that account for purchase of mint from the farmers. Company deposited Rs.2 Lakhs once and Rs.1,88,000/- second time and that time accused was there. When I withdrew the amount from bank, accused told me to remit Rs.32,450/- to his account. When I asked why, he questioned me stating that I am working under him and directed to deposit as he said, otherwise I will lose my job. So, I deposited the said amount. Even though I did not know the reason, I deposited the amount. Mr.Kulkarni and Adiga, officers of the company asked me, I stated that I used the invested amount for the purchase of mint and remaining amount of Rs.32,450/- I gave to the accused since he had asked me to give it to him. They stated that the amount is not repaid to the company and the accused used for his own purpose. The accused have purchased from the market instead of purchase as per the company instruction. Approximately 900 kg is purchased from market and intimated the company that the accused has purchased from the farmers. There was difference in the actual rate of purchase and the rate stated by the accused. Hence the accused have misused the company amount and misused his position. Witness identifies Ex.P.50 affidavit and it contains my signature. Signature is marked as Ex.P.50(a). Witness identifies the Ex.P.42 which is the appointment letter dated 01.01.2007.

Cross examination : Deferred.

(Typed to my dictation in the open Court)

ROI & AC

IV ACMM