

**IN THE COURT OF THE I ADDL CHIEF
METROPOLITAN MAGISTRATE BANGALORE**

CC No. 12078-2006

Deposition of	:	Riyaz Ahmed Shariff	CW:14
Father's Name	:	Mohommed Shariff	PW:10
Age	:	56 years	
Occupation	:	Retired Clerk, Amanath Co-Operative Bank.	
Residence	:	RT Nagar, Bengaluru.	

Duly Sworn on 30.03.2022.

Examination in Chief by Spl. PP Sri BVR:-

I have done B.Sc. Graduation. I joined Amanath Co-operative Bank in the year 1996 as Junior Assistant at Shivajinagar Branch Bengaluru. I served in said branch for 11 years. In the year 2002 I was working as Cashier in SB Counter. My duty was to count the cash and tally it with accounts. After tallying of account, I was submitting report to Chief Cashier of the bank. When I joined the bank, manual register were not in use and we were entering the amount in computer system itself. Witness again states in some branches manual registers were maintained. Some times entries used to be made in manual registers. The

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entries were made to manual registers, when there will be any problem with computer system. I do not know when computerization of our bank took place.

Now I see an advice of our bank dtd. 30.03.2002, the said advice was executed with regard to transfer of money to branch to branch. The zerox copy of said document identified by witness is marked as Ex.P142 as IO has not furnished original documents despite reminders. Though the said document was executed amount was not transferred under it and not transaction was made. Further the said document reveals debit transfer from our branch to main branch.

Now I see zerox copy of cash transfer advice dtd. 30.03.2002. the said document is marked as Ex.P143 as IO has not furnished original document despite reminders. However technically the amount mentioned in Ex.P143 is not transferred to main branch.

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Now I see zerox copy of self cheque no. 605168 for Rs. 1 Crore dtd. 30.03.2002, it is marked as Ex.P144 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P144.

Now I see zerox copy of self cheque no. 170927 for Rs. 1 Crore dtd. 30.03.2002, it is marked as Ex.P145 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P145.

Now I see zerox copy of self cheque no. 605167 for Rs. 5 Crore dtd. 30.03.2002, it is marked as Ex.P146 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P146.

Now I see zerox copy of self cheque no. 605152 for Rs. 5 Crore dtd. 30.03.2002, it is marked as Ex.P147 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P147.

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Now I see credit zerox copy of credit advice dtd. 30.03.2002, same is marked as Ex.P148 as original documents not furnished by IO despite reminders.

Now I see zerox copy of self cheque no. 605151 for Rs. 5 Crore dtd. 30.03.2002, it is marked as Ex.P149 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P149.

Now I see zerox copy of self cheque no. 605153 for Rs. 3.5 Crore dtd. 30.03.2002, it is marked as Ex.P150 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P150.

Now I see zerox copy of self cheque no. 170926 for Rs. 1 Crore dtd. 30.03.2002, it is marked as Ex.P151 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P151.

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Now I see zerox copy of self cheque no. 605166 for Rs. 5 Crore dtd. 30.03.2002, it is marked as Ex.P152 as IO has not furnished original cheques despite reminders. However no cash transaction has taken place as Ex.P152. (Ex.P142 to P152 are marked subject to objection of proof of Sri KAB for Accused).

A2 and 3 present before court were working in Janna Road Main Branch at that time. At that time one Jakhir Hussain, Nizam Uddin Aktar and Rehan Ahmed were cashiers in our branch. At that time A1 was General Manager of Amanath Co-operative Bank. A1 was aware about aforesaid transactions. Noor Jahan Begaum was Branch Manager of Shivajinagar Branch. She was working under General Manager. Physical cash transaction has not taken place as per Ex.P142 to P152 documents. I have given my statement before COD.

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Cross Examination by Sri KAB Advocate for A1 to 3 :-

I have worked for 11-12 years in above bank. In the year 2012 I shifted to RT Nagar Branch from Shivajinagar Branch. It is true to suggest that while receiving cash I used to maintain scroll book and I used to also receive cheques. It is true to suggest that the cash and cheques received by me have to be scrutinized by next officer. The Scroll Manager was next officer. It is true to suggest that the finalization of accounts were done at the year of financial year. At the time of my work accounts were computerized. It is true to suggest that above transactions stated by me were entered into computer system. COD has collected relevant documents from our branch. It is true to suggest that on particular date I was maintaining manual records. Witness volunteers only sometimes I was maintaining such registers. It is true to suggest that Ex.P142 to P152 my initial is not found because I was in Account Department. It is false to suggest that I was not aware about said documents. It is false to suggest that I am deposing falsely about above documents as per instance of

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my superiors and COD officials. The above transactions took place in the year 2002. It is true to suggest that Board of Directors are aware about above transactions. It is false to suggest that A1 was not aware about above transactions. It is true to suggest that account statement is maintained at the end of financial year.

Re-Examination : Nil

(Typed to my dictation in open Court).

R O I & A C

I ACMM, Bengaluru.