

Witness recalled and duly sworn on 05.06.2023.

Further Chief – Examination by learned Sr.APP. :

Thereafter, Accused expressed his willingness to open a coffee shop in Hulsoor, CW1 did not agree for it. Accused forced PW1 for said purpose and he himself went to see the site. He forcibly took PW1 to said place. They enquired with owner, who offered the shop for rent of Rs. 30,000/- per month and deposit of Rs. 4,10,000/-. As partnership deed was not yet executed, PW1 herself issued cheque of Rs. 4,10,000/- to owner of said shop. As deposit was paid by PW1, Accused insisted her to enter into lease agreement with owner. Further Accused received Rs. 2 Lakh and Rs. 1 Lakh towards interior of above shop for 50% of her investment. In February, Accused got executed partnership deed, wherein he had

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agreed to bear 50% of expenses of the business and expenses, but he did not pay anything. We assured to finish interiors within 15 days, but he did not finish it in time. We took 4 months to complete said work. He had used old articles of Indiranagar, for said shop. When PW1 questioned the act, he gave evasive answers. Though we demanded bills, he did not furnish any such bills. He made PW1 to pay rent of 4 months. He did not bear any expenses and PW1 had to incur such expenses due to incomplete work of Accused. Shop was opened in the month of February 2015. Thereafter, PW1 got valued the shop through CW9 valuer. He has given his report saying that though new materials could have been used the maximum expenses of said interior work would be Rs. 2,70,000/-.

Second time Accused demanded loan of Rs. 10 Lakh. PW1 advanced her loan of Rs. 8 Lakh to Accused through cheque of her daughter account and remaining loan of Rs. 2 lakh by way of cheque. At the end of same month Accused returned loan of Rs. 10 lakh by way of cheques. Accused did not pay his share in rent and BBMP license amount. He quarreled with owner of said shop and he was abusing PW1. Hence PW1 lodged complaint before Hulsoor police. On 07.12.2016, police had come to our Domlur Office and conducted spot mahazar from 4.30 PM to 5.30 Pm in my presence and CW1 and 3. Said mahazar already marked as Ex.P2 and signature as

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Ex.P2(b). Accused has not refunded any amount invested in above shop.

Cross Examination by Sri MK Adv for accused :-

Sri MK prays time. Cross-examination of witness deferred on cost of Rs. 200/- to witness.

(Typed to my dictation in open Court).

R O I & A C

I ACMM, Bengaluru.

CC: 23088-2017

CW: 02

PW: 02