

IN THE COURT OF SENIOR CIVIL JUDGE & J.M.F.C & CHANNAGIRI

C.C.NO.105/2025

Complainant:

Sri. Putta Naik R S/o Late Rama Naik, Aged about 65 years, Occ: Agriculturist, R/o Maravanji Tanda, M.D. Halli post, Channagiri Tq, Davanagere Dist.

V/s.

Accused

1. Naziya Banu W/o Nawaz Ulla Khan, Age 42 years,

2.Nawaz Ulla Khan S/o Not unknown, Age 48 years, Both are R/o 2nd Cross, Opp Govt High School road, Hoskeri, Tavarekere, Channagiri Tq, Davanagere Dist.

STATEMENT OF THE ACCUSED UNDER SECTION 351 of BNSS.

Q.1) The complainant examined as PW.1/Putta Naik in his evidence he deposed that, you accused No.2 is running areca Cheni business since several years and himself and you accused are having areca business since several years and accused No.2 has purchased arecanut crops from him for the purpose of cheni in the month of November-2024 total arecanut crop is of 7 quintal 60 kgs at the rate Rs.50,000/- per quintal for a value of Rs.3,80,000/- and at the time of purchase you accused No.2 has paid Rs.30,000/- to him as advance payment and since you accused being well known and you agreed for the same. The accused had and assured to pay remaining balance in the month of March 1st week 2025 as such he waited. Further deposed that in the month of March 1st week he approached you accused No.2. But you did not pay the balance amount of Rs.3,50,000/-. Further after repeated request and demand you accused No.2 has entered to the complainant house along with you accused No.1, on 25.03.2025 you accused No.2 had issued a cheque No.457262 dated: 29.05.2025 drawn on SBI Bank, Tavarekere Branch, Tq: Chanangiri for a sum of Rs.3,50,000/- as per Ex.P.1. What do you say?

Ans:

A.1

A.2

Q.2) PW.1 further deposed that, as per the assurance of the you accused he presented the cheque for encashment through his banker Karnataka Gramina Bank, Pandomatti brach. But the said cheque was dishonored as "FUNDS INSUFFICIENT dated: 31.05.2025 as per Ex.P.2. After dishonour of cheque, he got issued a legal notice to you as per Ex.P.3 dt: 23.06.2025 through RPAD calling upon you to pay the cheque amount within 15 days from the date of service of the notice, the said notice was personally served accused No.1 and 2 on 28.06.2025 and 29.06.2025 respectively as per Ex.P.5 and 6. Thereafter you have not reply to the notice and not paid the cheque amount and thus you have committed an offence punishable U/s. 138 of N.I.Act. He got marked the documents Ex.P.1 to 7. What do you say?

Ans:

A.1

A.2

Q.3) : Have you got anything more to say?

Ans:

A.1

A.2

Q.4) : Are you having any evidence in your defence?

Ans:

A.1

A.2

(Certified that the above contents of the statement of the accused was read over and explained to the accused on the language know to them and answer was recorded as per their say by me)

Date: 22.09.2025.

**Senior Civil Judge and JMFC.,
Channagiri.**