KADW310004292021

IN THE COURT OF SENIOR CIVIL JUDGE & JMFC KALAGHATAGI

PRESENT
Shri. RAVINDRA L. HONOLE,
B.A., LL.B (Spl)
SENIOR CIVIL JUDGE AND JMFC, KALAGHATAGI

DATED THIS 12th DAY OF JUNE 2026
CC. No.50/2021

COMPLAINANT :

State by Kalaghatagi Police

(R/by A.P.P.,)

Vs

ACCUSED :

1. Bashirahammad s/o Vajirbasha Hafij, Age: 47 years, Occ: Driver, Chaitanya Nagar, Kelgeri road, Dharwad.
   (Dead-Abated)

2. Ningaraj s/o Rajappa @ Ramanna Siddappanavar, Age: 41 years, Occ: Radium business, R/o LIG 41/1A, Maltesh Nilaya, 1st bus stop, Chaitanya Nagar, Dharwad
   (Dead-Abated)

3. Ulavappa s/o Shankrappa Koti,

Age: 30 years, Occ: Driver,
R/o M.I.G.1/120 KHB colony,
Banasri Nagar,
Doddanayakankoppa, Dharwad.

4. Smt. Rohini D/o Chittaranjan Dani,
Age: 48 years, Occ: S.B.M., Bank
Manager, Kalaghatagi

(A-1 & 2 Abated)
(A-3 Sri. A.T.Olekar, Adv)
(A-4 N.S. Upadhya, Adv)

JUDGMENT

The complainant/Bank Manager has filed complaint u/sec. 200 of Cr.P.C. against the accused No.1 and 2 for the offences punishable u/sec. 420, 425, 463, 465 of IPC.

2. Case of the complainant in brief is as under:

The complainant is the Manager of State Bank of Mysore now called as State Bank of India, Kalaghatagi Branch. The complainant Bank is under taking of Government of India and having its Head Office at Bangalore and also Branches through out India.

3.It is alleged that accused No.1 was resident of Kelgeri, Dharwad has approached the complainant Bank for sanction of term loan for the purpose of purchase of Swift Dzire VDi car had submitted loan application on 02.09.2015 for Rs.6,00,000/-. Accused No.1 wanted to purchase car for taxi purpose with yellow board. Accused No.2 was guarantor to the said loan. Accordingly, the complainant has sanctioned medium term loan of Rs.6,00,000/- to the accused No.1 on 04.09.2015. It is alleged that accused No.1 and 2 have executed loan documents with conditions and also executed vehicle agreement agreeing to repay the said amount with monthly installment of Rs.10,116/- with interest at the rate of Rs. 11.40% per annum and also agreed to pay interest prevailing from time to time. It is alleged that accused No.2 stood as guarantor for loan of accused No.1 has executed guarantee agreement dated 02.09.2015. It is alleged that the accused have also furnished copy of documents to the Bank and Proforma Invoice dated 22.08.2015 issued by Revankar Motors Hubballi.

4. It is alleged that at the time of sanction of loan and disbursement of loan the then Manager could not suspect malafide intention of accused. The accused have not submitted R.C. Book and Insurance premium copy to the Bank inspite of several request and demands and not paid installments to the Bank, thereafter, the complainant suspected and demanded the accused persons to produce the vehicle for inspection. The attitude of accused shows that they have cheated the Bank and diverted the loan amount for other purpose. The accused No.1 and 2 with malafide intention to make unlawful gain and cause loss to the complainant Bank have played fraud upon the Bank. It is alleged that the accused have submitted bogus and forged documents and Invoice to get loan sanctioned. The accused have committed fraud on the complainant Bank for the offences punishable u/sec.420, 425, 463, 465 of IPC.

5. After filing complaint matter is referred to Kalaghatagi Police u/sec. 156(3) of Cr.P.C. for

investigation. The Investigating Officer after completion of investigation has filed final report against accused No.1 to 4 including accused No.3 Ulavappa Koti for creating false account in the name of RNS Motors and accused No.4 Smt. Rohini Dani, the then Manager of complainant Bank who has made criminal conspiracy colluding with accused No.1 to 3 without verifying loan documents has sanctioned the loan of Rs.6,00,000/- in the name of accused No.1 and transfer it to the false account of accused No.3 and got benefit from SBI Life Insurance Policy with accused No.1 has received incentive and caused loss to the Bank. The accused persons colluding with each other with malicious intention to cause loss to the bank committed fraud and breach of trust and thereby committed offences punishable u/sec. 120B, 406, 409, 420 r/w. 34 of IPC.

6. Earlier charge sheet was filed before the Court of Civil Judge and JMFC Kalaghatagi. After filing charge sheet court has taken cognizance for the offences

punishable u/sec. 120B, 406, 409, 420 r/w. Sec.34 of IPC and ordered for registration of criminal case.

7. As per notification ADM No.1658/2020 issued by the Prl. Senior Civil Judge and CJM, Dharwad dated 10.12.2020 this case is transferred to this court and renumbered.

8. In pursuance of summons accused persons appeared through their respective counsels and enlarged on bail. The copies of the prosecution papers have been supplied to the accused u/sec. 207 of Cr.P.C.

9. Heard before charge. The contents of Charge are recorded and read over to the accused persons, they denied and not pleaded guilty and claims to be tried.

10. To prove the guilt of accused the prosecution has examined CW.1 to 4, 6 to 10 and 12 as PW.1 to 10 and got marked documents at Ex.P.1 to 28 and closed their side. CW.5 and 11 reported as dead and their evidence is dropped.

11. During pendency of case accused No.1 and 2 are reported to be died, therefore, case against accused No.1 and 2 is closed as abated.

12. The incriminating statement of prosecution witnesses appearing against accused persons are recorded and read over to the accused as contemplated under Sec.313 of Cr.P.C. The accused No.3 and 4 have denied and not chosen to lead defence evidence. Accused No.4 in her reply to the statement of prosecution witnesses explained that accused No.1 to 3 came to her for obtaining car loan. Since they have stated that car has been purchased, she believed and not personally visited. What she has done is legal transaction. Not involved in any illegal and fraud transactions. Due to scarcity of time could not concentrate on everything. No fault on her part. Accused No.4 has produced documents, but she could not get mark the documents.

13. Heard the arguments.

The points that arise for my consideration are:

1. Whether the prosecution proves beyond all reasonable doubt that accused persons in furtherance of their common intention colluding with each other, accused No.1 without intention to purchase car to gain wrongfully on 04.09.2015 has applied for car loan of Rs.6,00,000/- for which accused No.2 was stood as guarantor and they have executed loan documents under taking to repay as per agreement and accused No.4 being the banker without verifying documents in violation of car loan rules in collusion with accused No.1 to 3 to gain illegal loan from bank and agreement with accused No.1 to purchase SBI Life Insurance policy after sanction of loan has dishonestly misusing her fiduciary position misused her power to deceit the bank to cheat has sanctioned car loan of Rs.6,00,000/- on 04.09.2015 and transferred the money to the account of accused No.1 SB account No.64178318718 of State Bank of India, Dharwad branch and transferred into loan account No.64182291357 of accused No.1 at State Bank of India, Kalaghatagi branch and transferred the said amount through RTGS to the fake current bank account No.CBCA 01/150017 of Corporation Bank, Saptapur branch, Dharwad opened in the name of Revankar Motors and thereby have committed an offences punishable u/ sec. 120B, 406, 409, 420 R/w 34 of IPC?

2. What order?

14. My findings on the above points are :

POINT No. 1 : In the affirmative

POINT No. 2 : As per final order for the following:

REASONS

15. **POINT No.1 :** It is the case of the prosecution that accused persons without intention to purchase the car, accused No.1 has applied loan from the Bank to purchase car for which accused No.2 was stood as guarantor for said loan, have produced false documents and executed loan documents. It is further case of the prosecution that accused No.1 and 2 have opened fake account in the name of accused No.3 as Revankar Motors Pvt. Ltd., and accused No.4 without verifying the records having knowledge of intention of accused No.1 to 3, sanctioned loan in the name of accused No.1 to the tune of Rs.6,00,000/- and thereafter it was transferred to the name of accused No.3 and they have mis-utilized the loan amount for their own use. It is alleged that accused No.4 has got illegal contract with accused No.1 to purchase SBI Life Insurance Policy for Rs.50,000/- after

sanction of loan and received incentive from the said policy. It is further case of the prosecution that accused No.1 to 4 designated Criminal Conspiracy, breach of trust to cheat the bank illegally have received the loan amount and misused the same.

16. In order to prove their case the prosecution out of 12 witnesses shown in charge sheet have examined CW.1 to 4, 6 to 10 and 12 as PW.1 to 10. CW.5 is reported as died and CW.11 is unable to give evidence, therefore, their evidence is dropped.

17. Learned APP argued that accused No.1 was the borrower, accused No.2 was the guarantor and accused No.4 was the Manager in collusion with accused No.3 have got created fake account in the name of Revankar Motors and got transferred an amount of Rs.6,00,000/- as car loan without purchasing the same and thereby committed offences. It is argued that accused have made plan and criminal conspiracy and in furtherance of their intention to cheat have got transferred amount in the

false name Revankar Motors standing in the name of accused No.3 and they have cheated. To get money from the bank accused have cheated. No consistency in defence put forth by accused persons and it was not established. There was lack of explanation by the accused persons. The accused persons have got created forged document as genuine and committed offence. The prosecution has examined material witnesses and got marked documents. The material documents and oral evidence placed on record establishes the guilt of the accused persons. Therefore, prays for conviction of accused persons.

18. Learned counsel for accused No.4 argued that accused No.4 is the Manager and her name has not been shown in the complaint. The investigating officer after completion of investigation on the basis of statement of co-accused alleging that accused No.4 has received incentive from SBI Life Insurance Policy has arrayed the accused No.4 as also accused in this case. Absolutely no

evidence against accused No.4 to prove that she was also involved in the commission of offence and received money transferred in the name of accused No.1 to 3. The allegations leveled against accused that she has received incentive from Insurance Policy is not itself an offence. It is reward of accused for sale of Insurance Policy. The mistake or negligence on the part of accused No.4 is she believed the accused No.2 who is also the recovery agent of the Bank has not personally visited and enquired the loan sanctioned in the name of accused No.1. In her statement also explained by incriminating circumstances appearing against her and also produced documents shows that there is no fault on the part of accused No.4. Accused No.4 is reputed employee of complainant company and so may awards and certificates have been issued to her. The material evidence placed on record by the prosecution are not sufficient to convict the accused No.4. Therefore, prays for acquittal of accused.

19. I have gone through the oral evidence of prosecution. CW.1 is examined as PW.1 by name Varun Kandpal who is Manager of SBM, Mysore and complainant. In his examination-in-chief deposed that he worked as Manager of SBI, Kalaghatagi from 2016 to 2017. After assuming charge verified that accused No.1 has obtained car loan from their bank and accused No.2 was stood as guarantor for the said loan. It is noticed that there was due of loan amount and after verifying documents noticed that car loan was sanctioned but there was no records to show that car was purchased. Thereafter, he visited the house of accused and noticed that there was no car and immediately he got issued notice to the accused No.1 to produce the relevant documents, but he has not produced. It is deposed that he approached the car dealer and they have stated that they have not received amount sanctioned from the bank. It is further deposed that after suspecting the cheating approached the higher authority and as per their

direction he lodged complaint as per Ex.P.1. After registering the case by the police the investigating officer visited the bank and conducted mahazar. On 31.10.2017 another mahazar was prepared by the investigating officer at that time he has produced the documents. He got marked Ex.P.2 and his signature marked at Ex.P.2(a) and photo taken at the time of Panchanama marked at Ex.P.3. He also identified Ex.P.4 to 14. PW.1 further deposed that accused without intention to purchase car have got sanctioned loan and played fraud upon the bank. It is deposed that he has given further statement before the police about misappropriation and cheating. He also identified the accused persons present before the court.

20. PW.1 subjected to cross examination. In the cross examination on behalf of accused No.3 it is suggested that after coming to know about illegal sanction of loan for purchase of car, he informed the higher authority and as per their direction he approached

the police station but they have not received complaint, therefore, he filed private complaint through counsel. He stated that he has no personal information about the case. At this stage I would like to make it clear that PW.1 deposing evidence on the basis of available documents and he had no personal information about the case. It is admitted that before sanction of vehicle loan they have verified quotation, related documents, capacity of borrower for repayment of amount. It is also admitted that after verifying the documents they have visit personally to the house and take photo of vehicle and in this case these all proceedings have not been followed. It is case of the prosecution that accused colluding with each other without having intention to purchase the case have got obtained loan and misutilized the same for their own use and thereby committed offence. The accused No.4 who has got duty to follow the master circular issued by the bank has not taken safe guards and there was negligence on her part while sanctioning car loan.

21. PW.1 subjected to cross examination. In the cross examination on behalf of accused No.3 it is suggested that after coming to know about illegal sanction of loan for purchase of car, he informed the higher authority and as per their direction he approached the police station but they have not received complaint, therefore, he filed private complaint through counsel. He stated that he has no personal information about the case. At this stage I would like to make it clear that PW.1 deposing evidence on the basis of available documents and he had no personal information about the case. In further cross examination it is admitted that before sanction of vehicle loan they have verified quotation, related documents, capacity of borrower for repayment of amount. It is also admitted that after verifying the documents they have to visit personally to the house and take photo of vehicle and in this case these all proceedings have not been followed. As rightly suggested by learned counsel for accused to PW.1 before sanction of

loan Manager of bank has to follow the guidelines issued by the Corporation Bank. At this stage I have gone through the guidelines of bank which reads as under:

22. As per master circular of State Bank of Mysore with regard to car loan scheme as on 20.02.2015 they have take safe guards/precautions as under:

i)Do not entertain any proposal sourced by middle men other than Dealers or Dealer sales executive.

ii) Do not sanction any loan unless the proposed borrower has an account or opens account with the Bank.

iii)Do not enquire/inspect about the Car Dealer address along with the customer.

iv) Do not hand over the letter addressed to Car Dealer to the borrower.

v) Do not entertain car loan proposal without ensuring permanent address proof.

vi) Do not forget to verify whether loan particulars and its cost given in tax invoice tallies with the one submitted in quotation/proforma invoice.

vii)Do not forget to verify whether vehicle particulars given in Form 20 tallies with the one given in quotation/proforma invoice.

viii)Loan proceeds to be remitted to the dealer through RTGS/NEFT only. Immediately send mail as per annexure A to P & SB Circular No.92/2014-15 dated 10.02.2015.

viii) Branch should log into Motor Vehicles Department website and confirm that the car financed by the Bank has been registered in the borrower's name with hypothecation marked in favour of the Bank. A screen shot of enquiry made and information obtained should be taken and kept along with the loan documents.

23. It is case of the prosecution that accused colluding with each other without having intention to purchase the case have got obtained loan and misutilized the same for their own use and thereby committed offence. The accused No.4 who has got duty to follow the master circular issued by the bank has not taken safe guards and there was negligence on her part while sanctioning car loan.

24. In further cross examination it was suggested to PW.1 that he had no knowledge about date of loan application filed by accused No.1, model of vehicle, amount sanctioned, opening of bank account, details of accused persons and same were answered stating that he could not remember. The incident was occurred in the year 2015, complaint has been lodged in the year 2017 and his evidence has been recorded in the year 2025 almost there was lapse of 10 years. It is quite natural that without looking documents these all facts cannot be deposed. Moreover, the case is based on documentary

evidence and oral evidence of PW.1 has no much importance to prove the allegations levelled against accused persons. PW.1 has deposed evidence whatever he has done in this case in his official capacity. I find no merits in the suggestion made to PW.1 during course of cross examination. The evidence of PW.1 that after coming to know about fraud, informed the same to the higher authority and as per their direction filed the complaint. The oral evidence of PW.1 supported with documentary evidence and his evidence is not discredited in the cross examination.

25. So far in respect of accused No.4 is concerned he was soft. All the suggestions made to him about accused No.4 has been admitted. Even he admitted that to gain public confidence and expand the transaction of bank they are not following strict guidelines. He appreciated accused No.4 that she has done appreciable work during her tenure as Manager. He admits that they are advertising State Bank Life Insurance Policies and

there was pressure from the higher authority to reach the target they are advertising. He admits that they are receiving only commission after selling policy. It is also admitted that original documents are with the bank. It shows that he was appreciated all the acts done by accused No.4. It is also admitted that the bank can recover loan amount by filing suit. If that was the case why they have filed the case is not been explained. Even he has given clean chit to the accused No.4 stating that she has not done any mistake. The admission of suggestions by PW.1 has no any meaning and it will not cure the offence committed by accused No.4.

26. CW.2/PW.2 Yashavant Kumtakar, the then Head Cashier of SBM, Kalaghatagi branch who is witness to the Spot Panchanama. He deposed that on 20.05.2017 from 2.45 p.m. to 3.45 p.m. the police have visited the bank branch office at Kalaghatagi and conducted mahazar in his presence in respect of fraud of purchase of car. He identified his signature appearing on Ex.P.15

marked at Ex.P.15(a). It is deposed that at the time of conducting mahazar CW.3 and 1 are present. In the cross examination PW.2 deposed that Panchanama has been prepared in the branch office. His evidence is supported with case of the prosecution and sufficient to prove the contents of Ex.P.15 Panchanama.

27. CW.3/PW.3 Prakash Yaragunti, sweeper cum peon SBM, Kalaghatagi branch. PW.3 is the spot pancha and witness deposed that on 20.05.2017 at about 2.45 p.m. to 3.45 p.m. the police have visited Kalaghatagi SBM branch office and conducted mahazar in respect of fraud of car loan. It is deposed that at the time of preparing Panchanama Ex.P.15, CW.1 and 2 were present and in their presence Pnchanama has been prepared. He identified his signature appearing on Ex.P.15 marked at Ex.P.15(b). PW.3 turned partly hostile and as per request of learned APP treated as hostile witness and permitted to cross examination. During course of cross examination he deposed that accused

No.1 to 3 coming to their bank branch for obtaining loan and sitting in the office of accused No.4 for long time. It is denied that accused No.2 helped accused No.1 and others for sanctioning car loan and he was the surety for the car loan. It is denied that accused persons for obtaining loan from the bank have created false quotation in the name Revankar Motors,Hubballi and in collusion with accused No.4 have got sanctioned loan without following guidelines of bank. The accused No.4 issued Life Insurance Policy and received incentive money from the bank and gain profit. It is denied that on 05.09.2015 Rs.6,00,000/- has been transferred in the name of accused No.1 bank account No.641783718 and thereafter got transferred the same through Dharwad Corporation Bank pertaining to accused No.3 S.B. Account No.306201601150017 through RTGS and got transferred the money. It is denied that accused No.1 has obtained car loan from the bank but without purchasing the car has misused the said amount and played fraud upon the bank. It is denied that he gave statement before the investigating officer about the incident. He identified accused No.1 stating that he was visiting their bank. The evidence of PW.3 is sufficient to prove the contents of Ex.P.15 Panchanama. He also seen accused No.1 to 3 meeting in the chamber of accused No.4.

28. CW.4./PW.4 Mahadevappa Simpi, the then Revenue Inspector who is witness to the documents seizure Panchanama. He deposed that on 31.10.2017 Kalaghatagi police have called himself and CW.5 to the police station. In their presence seized the documents in respect of fraud of purchase of car loan. He identified the signature appearing on Ex.P.2 marked at Ex.P.2(b). He identified Ex.P.3 photo taken at the time of preparing Panchanama. It is deposed that at the time of panchanama CW.1 and 5 were present and Panchanama has been prepared from 10.45 a.m. to 12.15 p.m. and as per Ex.P.2, Ex.P.4 to 14 documents have been seized. He stated that after preparing Panchanama knowing the

contents signed. In the cross examination there was denial suggestion. The oral evidence of PW.4 is supported with case of the prosecution. His evidence is sufficient to prove the Panchanama Ex.P.2.

29. CW.6/PW.5 Mahesh Maribasayyanavar, the then clerk of SBM, Kalaghatagi branch. He deposed that he served as clerk of the bank from 11.04.2016 to 13.09.2019 and he know the CW.1 to 3 and 7. He deposed that accused No.4 was Manager of the bank. He stated that accused No.1 to 3 have obtained car loan but they have not made repayment at that time accused No.4 was the Manager of the bank. It is deposed that after transfer of accused No.4, CW.1 came to the bank as Manager. CW.1 after verifying the records noticed that documents are not correct and intimated the same to the higher authority and they have directed him to take appropriate action. He stated that he do not know how much of loan amount has been sanctioned, which account money was transferred and how they have

received money. PW.6 has been partially treated as hostile witness and in the cross examination denied the all the suggestions made to him about visit of accused to the bank branch and purchase of can loan producing fraudulent document and illegal transfer of money in the name of accused bank accounts. PW.5 partly supported the case of the prosecution and his evidence is clear that during the tenure of accused No.4 as Manager, accused No.1 to 3 have obtained car loan and not made payment.

30. PW.6/CW.7 Aman Mittal, the then branch Head of SBM, Kalaghatagi branch. He deposed that he know the CW.1 to 3 and 6. He denied identification of accused No.1 to 3 but stated that they are coming to their bank. He stated that he do not know accused No.4 but she was the Manager. It is deposed that car loan has been obtained from their bank branch and it was not repaid, at that time accused No.4 was the Manager of the bank. It is deposed that after transfer of accused No.4, CW.1 came to the bank as branch Manager. It is deposed that

CW.1 verified the documents and noticed that they are not correct and same was intimated to the higher authority and they have directed CW.1 to take further legal action. He stated that he do not know how much of loan was sanctioned and how the loan amount has been transferred to the accused persons. He stated that he gave intimation to the police about service details of accused No.4 marked at Ex.P.20. He stated that he has produced car loan NPA list marked at Ex.P.21 and his signature marked at Ex.P.21(a). It is also deposed that he has given report of car loan misappropriation letter as per Ex.P.22 and statement of account of accused No.1 marked at Ex.P.23. PW.6 has been partially treated as hostile witness and in the cross examination denied the suggestion made to him about visit of accused No.1 to 3 to the chamber of accused No.4 in the year 2015 to obtain car loan. It is denied that accused No.2 has introduced accused No.1 and others for obtaining loan and stood as surety for the said loan transaction. It is denied that accused No.1 has produced false quotation from Revankar Motors to purchase of car by providing surety of accused No.2 and accused No. 4 without verifying the records colluding with other accused persons violating the guidelines transferred the loan amount in the name of accused No.1 account and got incentive money from taking Life Insurance Policy. It is denied that money has been transferred in the name of accused No.3 through RTGS and they have misused the money and cheated the bank and caused loss. The evidence of PW.6 is clear that accused No.1 to 3 meeting the accused No.4 for obtaining car loan and he has seen all the accused persons meeting in the chamber of accused No.4. He got issued list of NPA, misappropriation letter and bank statement of accused No.1 which are marked as Ex.P.20 to 23.

31. PW.7/CW.8 Bhanudas Pimple, the then Manager of Dharwad Corporation Bank who deposed that he was served as Manager of Corporation bank from

July-2017 to July-2019 at Saptapur branch, Dharwad. He deposed that when he was working at that time police have visited their bank and enquired about Revankar Motors, Ulavappa Koti and Bhagyalaxmi Motors owner Ningaraj Siddappanavar and requested to furnish the documents. It is stated that he got issued statement of account marked at Ex.P.25 and application marked at Ex.P.26 along with copy of Adhar card, pan card, election identity card and he has given statement before the police in this regard. The oral evidence of PW.7 is crystal clear that accused No.3 has opened his account in the name and style as Revankar Motors, Sai Nagar, Main road, Dharwad. The documents got marked through PW.7 at Ex.P.25 and 26 establishes that accused No.3 has applied and opened account in Corporation Bank, Dharwad in the name and style as Revankar Motors P L, Sai Nagar, Main road, Dharwad-580003 and also put seal in the said name as proprietor. The documents produced along with Ex.P.26 shows that he was not the proprietor.

Accused No.3 was the driver. The bank authority only on the basis of self declared application and seal of the company have opened the bank account without verifying authenticated documents. The authorized Revankar Motor Pvt. Ltd., Maruti Suzuki authorized dealer showroom is situated at Hubballi and same is evident from Ex.P.9. These all documents goes to shows that accused No.3 has opened false account in the name of Revankar Motors P L as proprietor and he was not the proprietor of the said company.

32. PW.8/CW.9 Srinath Babu, the General Manager of Revankar Motors, Hubballi. He deposed that from 2017 to 2022 worked as General Manager. About 3-4 years back the police have sought information about vehicles purchased by accused from their showroom. It is deposed that after verifying records and accounts with his team he issued intimation to the police stating that no vehicle has been purchased from their showroom. He identified Ex.P.27. PW.8 was treated as partial hostile

witness and subjected for cross examination. During the course of cross examination admits that Ex.P.9 belongs to their showroom. The other suggestions made to him was denied. He admits that accused persons have not purchased any car from their showroom and not deposited amount. Accordingly, they have got issued Ex.P.27. The evidence of PW.8 establishes that accused No.1 has got sanctioned car loan by furnishing invoice of Revankar Motors, Hubballi but actually he has not purchased the car.

33. PW.9/CW.10 Nagaraj Kadabi, the owner of bank building. He deposed that he was the owner of commercial building situated at Kalaghatagi town near APMC, Hubballi-Karwar main road bearing No.190/5/3 and same was given on rent at first floor to the State Bank of Mysore Bank. He stated that there was agreement with bank and he also produced property extract copy. The ownership of PW.9 is not disputed. His evidence is supported with case of the prosecution.

34. PW.10/CW.12 Anand Doni, the then PSI, Investigating Officer. PW.10 deposed that he know the CW.11 who was worked as ASI. Now CW.11 was suffering from ill-health and unable to give evidence and he will identify signature of CW.11. He stated that on 20.05.2017 CW.11 has received private complaint and got registered Cr. No.181/2017 and send the FIR to the court with complaint marked at Ex.P.28. He identified signature of CW.11 marked at Ex.P.28(a). It is deposed that on 20.05.2017 CW.11 visited the State Bank of Mysore, Kalaghatagi branch and conducted spot Panchanama in the presence of CW.2 and 3 from 2.45 p.m. to 3.45 p.m. He deposed that spot was shown by CW.1 and identified Panchanama marked at Ex.P.15 and signature of CW.11 marked at Ex.P.15(c).

35. He deposed that on 12.10.2017 under taken further investigation from CW.11 and visited the SBM branch, Kalaghatagi and issued notice for producing documents of accused No.1. He deposed that on

31.10.2017 CW.1 has produced documents and in the presence of CW.4 and 5 he got prepared Panchanama as per Ex.P.2 from 10.45 a.m. to 12.15 p.m. He identified signature marked at Ex.P.2(c) and at that time photo was taken as per Ex.P.3. He deposed that they requested producing documents to the Revankar Motors, Hubballi on 30.10.2017 and CW.9 has issued endorsement marked at Ex.P.27 stating that there was no transaction. It is deposed that as per requisition Corporation Bank, Dharwad have furnished bank statement as per Ex.P.25. He deposed that he sought bank details of accused and issued notice to accused No.4 to produce documents on 02.07.2018. The bank has furnished statement of accused No.1 as per Ex.P.23.

36. It is further deposed that on 05.05.2019 he recorded further statement of CW.1. On 30.06.2019 accused No.1 was arrested who has given voluntary statement before him and he was sent to judicial custody. He stated that recorded voluntary statement of

accused No.1 and 2. He stated that he has recorded statement and further statement of CW.3,6,8 and 9. It is deposed that he received documents pertaining to Corporation Bank from CW.8 On 23.08.2019 he received service records of accused No.4. He deposed that accused No.1 to 3 in collusion with accused No.4 without intention to purchase the car have played fraud and got sanctioned car loan. It is deposed that prima facie investigation shows that accused have committed offence, therefore he filed charge sheet against the accused persons.

37. In the cross examination it is suggested to PW.10 that in the complaint name of accused No.4 was not mentioned. It is true that while lodging complaint there was mention of accused No.1 and 2 name only, during course of investigation Investigating Officer come to a conclusion that accused No.3 and 4 are also involved in the case, therefore, they are also arrayed as accused in this case. Therefore, I find no merits in the suggestion

made to the witness. Further PW.10 deposed that CW.4 and 5 are the government employees and after completion of their duty they came to police station as witnesses. It is the discretionary power of investigating officer to call the witnesses to the Panchanama and permission from higher authority of witnesses does not arise. It is also part of their duty. It is suggested that there is no mention on the documents about declaration that said documents are certified by CW.1. The documents are produced by the competent person from the proper custody and they are certified, therefore, there is no necessity to make further declaration that documents produced by the complainant under Panchanama are certified. The legality and validity of the documents are to be considered. Mere non declaration of documents as certified copies will not take away the credibility of documents.

38. It is further suggested to PW.10 that he visited the bank but not produced the CC TV footage. The case

is related to fraud of the year 2015 and case has been registered in the year 2017 and investigation officer visited the branch office in the year 2017 and he cannot be expected to produce the CC TV footage of 2015 and there is no suggestion that CC TV footage of bank has been secured. Under these circumstances, I find no merits in the suggestion. In further cross examination there is denial suggestions. The oral testimony of PW.10 is supported with prosecution case and his evidence has not been discredited. The oral evidence of PW.10 is supported with documentary evidence and evidence of other prosecution witnesses.

39. Learned counsel for accused have argued that at the time of seizure of documents panchanama has not been conducted. It is argued that PW.1 in the cross examination admits that he has produced the documents before the investigating officer at police station wherein panchanama has been prepared. The evidence of PW.1 shows that there was no proper seizure panchanama has

been conducted by the I.O. and prosecution has failed to prove the panchanama.

40. In order to prove Ex.P.2 seizure Panchanama, the prosecution has examined PW.1 who is complainant and witness PW.4 and investigating officer in whose presence panchanama has been prepared. PW.1, 4 and 11 have deposed in support of prosecution and identified their signatures appearing on Ex.P.2. The contents of Ex.P.2 itself shows that PW.1 with permission of higher authority produced the documents under list before the investigating officer who has seized the same in the presence of CW.4 and 5. The oral testimony of PW.1,4 and 10 is sufficient to prove the seizure Panchanama marked at Ex.P.2. Mere suggestion that Panchanama is prepared at police station and same were produced without notice or not a ground to disbelieve contents of Ex.P.2. The prosecution has proved the seizure Panchanama by examining witnesses.

41. I have gone through the documents got marked by the prosecution. Ex.P.1 is the original complaint filed u/sec.200 of Cr.P.C. Ex.P.2 is the documents seizure Panchanama dated 31.10.2017, under which Sl.No.1 to 11 documents have been seized by the investigating officer in the presence of witnesses and complainant. Ex.P.3 is the photo taken at the time of Seizure Panchanama. Ex.P.4 is the zerox copy of application cum proposal for vehicle loan dated 02.09.2015 of deceased accused No.1 which includes declaration of guarantor, credit rating criteria-four wheeler, transfer debit receipts, transfer credit, application for NEFT/RTGS. Ex.P.5 is the loan account No.64182291357 of accused No.1 pertaining to savings account No.64178318718 dated 04.09.2015 which bears signature of borrower and guarntor i.e., deceased No.1 and 2. It also annexed with interest rate of bank. Ex.P.6 is zerox copy of Vehicle Loan Agreement (Form 1848) which includes E-stamp with supplementary letter to hypothecation Agreements for

incorporating details of vehicle. Ex.P.7 is the zerox copy of guarntee agreement executed by guarantor accused No.2. Ex.P.8 is the zerox of driving licence of accused No.1 with copy of Election I.D. card, Adhar card and pan card which includes credit report, credit report declaration, income tax return verification forms for the year 2013-14 to 2015-16 of accused No.1 and 2. Ex.P.9 is the zerox copy of Proforma Invoice issued by Revankar Motors Pvt. Ltd., dated 02.09.2015.

42. Ex.P.10 is the Demand Notice issued by the State Bank of Mysore, Kalaghatagi branch to the accused No.1 dated 08.08.2016, 11.08.2016, with postal acknowledgment and letter issued to the Revankar Motors, Hubballi to furnish information about Invoice copy Insurance and Registration Certificate. Ex.P.11 is the zerox copy of the Cibil report. Ex.P.12 is the zerox copy of Form of notice of transfer of ownership of a motor vehicle and Form No.30 report of transfer of ownrship of motor vehicle. Ex.P.13 personal banking-car loan-Master

Circular dated 21.02.2015 issued by State Bank of Mysore. Ex.P.14 is the details of staff of State Bank of Mysore, Kalaghtagi branch,

43. Ex.P.15 is the spot panchanama dated 20.05.2017 prepared at State Bank of Mysore, Kalaghatagi branch in the presence of complainant and witnesses. Ex.P.16 to 19 are the statements and re-statement of witnesses given before the Investigating Officer. Ex.P.20 is the service details of accused No.4 who was worked as Branch Manager, State Bank of Myore, Kalaghatagi branch from 22.09.20214 to 07.08.2016. Ex.P.21 is the copy of car loan NPA issued by the bank wherein name of accused No.1 is also shown. Ex.P.22 is the letter issued by the Assistant General Manager, State Bank of Mysore, Regional office to Hubballi directing the Branch Manager to lodge complaint against the borrowers as per list wherein name of accused No.1 to 3 are mentioned.

44. Ex.P.23 is the statement of account of accused No.1 SB Account No.64178318718 from State Bank of India, Dr. Bendre road branch, Sadankeri. The entry of statement of account dated 05.09.2015 shows that an amount of Rs.6,00,000/- has been credited to the account of accused No.1 through Kalaghatagi branch. On the same day Rs.6,00,058/- have been withdrawn from the said account. Further the statement of account of accused standing in the name of accused No.1 at Kalaghatagi branch account No.64182291357. Ex.P.24 is the statement of witness given before the I.O. Ex.P.25 is the statement of account of accused No.3 pertaining to Corporation Bank Saptapur, Dharwad. The name of account holder is M/s. Revankar Motors P.L. and its proporitor Ulavappa S. Koti. The entry of said account dated 05.09.2015 disclose that RTGS from Bashir Ahmed Vazir Basha and credited to the account of accused No.3 an amount of Rs.6,00,000/-. Ex.P.26 is the Account Opening Form of Corporation Bank, Dharwad pertaining

to accused No.3. Ex.P.27 is the letter issued by Revankar Motors Pvt. Ltd., Hubballi stating that they have done any transactions with accused No.1. Ex.P.28 is the FIR dated 20.05.2017.

45. The contention of accused that prosecution has not produced original documents of loan transactions. It is settle law that in a criminal case there is no strict proof of documents is is required. Even zerox copy of document is admissible. The material point for consideration in this case is illegal transfer of money. Moreover, documents got marked by the prosecution is undisputed documents which are bankers document i.e., bank account statement,application, receipts which are having presumptive value under law. The legality and validity of documents cannot be questioned. The material documents and corroborative documents establishes that loan amount sanctioned to the accused No.1 has been transferred to the amount of accused No.1 and thereafter it was transferred to the fake account of accused No.3.

Therefore, I find no merits in the arguments advanced in this regard.

46. The documents got marked by prosecution establishes that, accused No.1 has applied for purchase of vehicle loan (Ex.P.4) on 02.09.2015 and accused No.2 was guarantor to the said loan have signed the loan agreement. Ex.P.7 is the Guarantee Agreement and supplementary letter to Hypothecation agreement marked at Ex.P.6. Accused No.4 has sanctioned car loan on 04.09.2015 marked at Ex.P.5. The car loan amount sanctioned to the accused No.1 has been transferred to the accused No.1 as per Ex.P.23 and credited to the account of accused No.1. The said amount is remitted to the account of accused No.3 through RTGS as per Ex.P.25. The endorsement issued by the Revankar Motors, Hubballi discloses that loan sanctioned to the accused No.1 for purchase of loan has not been credited to the Revankar Motors and no vehicle has been purchased from them. Further records establishes that

after coming to know about non purchase of car and fraud played by the accused persons the complainant got issued notice to produce the documents and payment of loan amount neither the vehicle has been produced or loan amount has been repaid shows that accused have misappropriated the loan amount and played fraud upon the bank.

47. To rebut documents got marked by the prosecution accused have not produced documents. It is true that criminal case proof is beyond reasonable doubt and entire burden is upon the prosecution to prove its case. In the present case on hand the material documents got marked by the prosecution and oral evidence of witnesses establishes that accused have made criminal conspiracy to deceive bank have got sanctioned the loan amount for purchase of car without purchasing the same have misused the amount for their personal gain. The prosecution has proved its case beyond all reasonable doubts.

48. The prosecution papers discloses that accused No.1 was the driver by profession and his house is situated in the area of accused No.2. Accused No.2 Ningaraj Siddappanavar was previously worked as recovery and seizing agency to SBM branches across Dharwad District who has introduced accused No.1 to the Branch Manager (accused No.4) and also stood as surety to the loan sanctioned in the name of accused No.1. Accused No.3 was also Auto driver known to accused No.1. Accused No.2 introduced accused No.1 and 3 to the accused No.4 for applying car loan only with condition that after sanction of loan accused No.1 has to purchase SBI Insurance Policy. Accused No.1 and 3 have opened fake account in the name of accused No.3 styled as Revankar Motors P. L., at Corporation Bank, Dharwad branch and the bank authority without verifying the relevant documents opened the SB Account in the name of accused No.3 styled as M/s. Revanakar Motors P.L., which is similar to famous Revanakar Motors Pvt. Ltd.,

Hubballi. Accused No.3 was not doing business of sale of vehicles and he was not the proprietor of any company. The documents placed on record establishes that prior to applying loan accused No.3 has opened his account in the fake name of Revankar Motors Pvt. Ltd., Dharwad. Accused No.4 without verifying quotation and bank details of Revankar Motors, Hubballi, has transferred the loan amount through SB Account of accused No.1 and thereafter it was transferred to the account of accused No.3. The intention of accused persons is clear that they have made criminal conspiracy to deceive the bank with malicious intention to cause loss to the bank and committing fraud and breach of trust have opened A/C No.CBCA/01/150017 on 03.09.2015 at Corporation Bank, Dharwad in the name of Revankar Motors in the name of accused No.3 and car loan amount sanctioned in the name of accused No.1 has been transferred in the name of accused No.3.

49. The agreement between accused No.1 and 4 is after sanction of loan, accused No.1 has to purchase Rs.50,000/- State Bank Life Insurance Policy, accordingly, accused No.1 has purchased the said policy and thereby accused No.4 has received incentive from the policy and gain profit. Sanction of loan without deposit of title deeds as security of loan shows that there was agreement between accused No.1 and 4 for purchase of Life Insurance Policy. The allegations made in the charge sheet has not been disputed by the accused No.4. It was not denied or disputed in the cross examination of witnesses. No rebuttal documents have been produced to prove the same. If there was agreement between accused No.1 and 4 there is no need to sanction loan. Therefore, it can be inferred that there was an agreement between accused No.1 and 4 for purchase of insurance policy.

50. Learned counsel for accused No.4 relied the decisions of Hon'ble Supreme Court of India reported in AIR 1980 Supreme Court 499, AIR 1996 Supreme Court

3390 and AIR 1974 Supreme Court 1560. I have gone through the above decisions. The facts of the above decisions and present case on hand are differs. In the present case on hand accused No.4 who had knowingly that accused No.2 was the previous bank seizing agency for State Bank of Mysore under Dharwad District has sanctioned loan on the basis of false and concocted documents produced before her. Further accused No.2 was the surety almost 5 to 6 cases and himself was the beneficiary in one case wherein he has obtained car loan. The documents have been approved without considering its genuineness and counter check. Purchase of car have not been personally checked and amount has been transferred knowing that accused No.3 was not the owner of authorized vehicle from which invoice have been produced. There was series of cases wherein fraud has been played. Since borrowers have paid the loan amount the bank authority without further proceedings have dropped further action. In some cases, borrower and guarantor have died and some cases loan amount has not been recovered have been reported to the higher authority and as per their direction cases have been registered. Under these circumstances, this court is of the opinion that the above decisions relied by the learned counsel for accused are not helpful to the case of the accused.

51. Arguments of counsel for accused that there was no mens rea to commit offence. When there is no mens rea accused cannot be convicted. For this, my answer is mens rea always cannot be proved by examining the witnesses or documents. The very conduct of accused meeting prior to sanction of loan itself is sufficient to prove the mens rea. Further the act of accused persons to cheat is criminal act. If any criminal act done by several persons in furtherance of common intention of all, each person is liable for that act. Therefore, all the accused persons are liable for punishment.

52. Accused No.4 is responsible Manager of bank was under fiduciary capacity has got duty to verify genuineness of transaction has not taken proper precautions and in violation of master circular of bank conditions has sanctioned loan and transferred the money illegally and thereby involved in the criminal conspiracy. If the accused No.4 has acted bonafied and taken proper care she could have stopped illegal transactions. It is also within the knowledge of accused No.4 that accused No.2 was the seizing agent of bank who has stood as surety to the several persons has granted the loan. At the time of grant of loan accused No.4 has not verified vehicle purchase documents, only on the basis of Proforma Invoice transferred the loan amount. Even the owner of showroom has not been properly verified.

53. Accused No.1 and 2 are not the local residents and they are not having movable or immovable properties within the jurisdiction of Kalaghatagi taluka. They are

the permanent residents of Dharwad. Accused No.4 having knowledge that accused No.1 is not going to purchase car has sanctioned loan and involved in criminal conspiracy. No property documents have been deposited. Their address have been wrongly shown in the loan documents without any proof.

54. On going through the all the 8 cases, except his own case, Ningappa Siddappanavar was the guarantor or fake account holder of Bhagyalaxmi Motors, Hospet who is no more. He alone also got sanctioned loan for purchase of car and introduced other accused persons for obtaining car and stood as guarantor as well as alleged proprietor of Bhagyalaxmi Motors. Accused Ulavappa Koti was fake account holder in the name of Revankar Motors, Maruti Suzuki, Hubballi, in whose account loan amount has been transferred and withdrawn. Accused Raghavendra Patil had obtained two car loan facility with a gap of 2 to 3 months. Almost loan has been sanctioned within a day or week. In normal

course sanction of loan will take months together. Systematic planning, preparation of documents and its execution was done. The then Manager of bank Smt. Rohini Dani having knowledge of facts that the borrower have not purchased the car has sanctioned loan. Even it is known to her that Ningaraj Siddappanavar and Ulavappa Koti are not the authorized owners or vehicle dealers has sanctioned the loan amount. Fake bank accounts have been opened in the name of Revankar Motors and Bhagyalaxmi Motors and cheated the bank. It can be said that it is a big scam. Scheme of the bank has been misused by few members in collusion with bank Manager and purpose of scheme has been destroyed. Needy people are deprived from government scheme and public money has been mis-utilized.

55. One side needy people are in que, will not get loan. On the other hand, persons like accused No.2 who know how to deal with bank authority will get sanction of loan amount easy way. Therefore, it can be said that in

the present case money power is worked out. It can be presumed from conduct of accused No.4 that there was an agreement between accused No.1 and 4 that after sanction of loan accused No.1 has to purchase Stage Bank Life Insurance Policy. No where it is denied by accused that after sanction of loan accused No.1 has not purchased insurance policy. It is mockery of system, that persons who are in need of money will not get loan and persons who know that how to deal with bank authority will get easy loan facility.

56. Loan transactions were not disputed. Amount credited to the account of accused No.1 and 3 is not disputed. The documents and oral evidence of prosecution witnesses establishes that accused No.1 was the borrower, accused No.2 was the guarantor and accused No.3 was the fake account holder of Revankar Motors and accused No.4 is the Manager of the Bank as on the date of sanction of loan. It is also proved by documentary evidence that accused No.1 without

intention to purchase car has applied for car loan and accused No.2 who was the seizing agent was stood as surety to the car loan and accused No.4 having knowledge of intention of accused No.1 and 2 has illegally helped the accused No.1 and 2 and transferred the loan amount of Rs.6,00,000/- through SBM, Kalaghatagi branch to the SB Account No.64182291357 of loan account of accused No.1, thereafter it was transferred to the account of accused No.3. Accused No.1 and 2 have mis-utilized the loan amount without purchase of car for their own purpose. Accused No.1 to 4 have actively participated in the commission of offence. In the cross examination the evidence of prosecution either destroyed or weaken or elicited anything which is helpful in favour of accused. No reasons to discredit or disbelieve the demenour of witnesses. No enmity between accused and witnesses to depose false evidence. The prosecution by adducing oral and documentary evidence has proved its case beyond all reasonable doubt.

Accordingly, I have answered point No.1 in the affirmative.

57. **POINT No.2**: The prosecution has proved its case beyond all reasonable doubt that accused persons have committed the offencess punishable u/sec.120B, 406, 409, 420 r/w. sec.34 of IPC. Hence, court proceed to pass the following:

ORDER

Acting U/Sec.248(2) of Cr.P.C., the accused No.3 and 4 are found guilty for the offences punishable U/Sec. 120B, 406, 409 and 420 r/w. Sec. 34 of IPC.

The bail bond of accused No.3 and 4 surety stands cancelled.

(Judgment is dictated to steno directly on computer, typed by him, then corrected and pronounced by me in the open court on this 12th day of June 2026)

(R. L. HONOLE)
SR. CIVIL JUDGE & J.M.F.C.,
KALAGHATAGI

HEARING ON SENTENCE

The offenders submits that they are innocent persons and their family depends upon their income. If they are punished and kept in prison their family will be put into great hardship. Therefore, prays for taking lenient view while sentencing.

Learned APP submits that offenders have committed fraud and cheated public fund. They are not entitled for leniency. The offenders may be convicted for maximum imprisonment and fine prescribed under law.

The offenders found guilty for the offences punishable u/sec. 120B, 406, 409, 420 r/w. Sec.34 of IPC. The provision of Sec.409 is applicable to the offender No.3 who is the banker. The punishment prescribed for the offence punishable u/sec. 120B is imprisonment for 6 months, or fine or both, sec.406 is imprisonment for 3 years or fine, or both, sec.409 is imprisonment for life or imprisonment for 10 years and fine and sec.420 is imprisonment for 7 years and fine respectively.

The offenders designated criminal conspiracy, criminal breach of trust have deceived the complainant bank fraudulently with dishonest intention to receive the car loan amount have mis-utilized the amount. Offenders

No.1 to 4 have committed offence of criminal conspiracy, criminal breach of trust and cheating the bank without intention to purchase the car have fraudulently got sanctioned car loan and cheated. Offender No.1 is the main borrower and offender No.2 was the guarantor, died during pendency of case and case against them is abated. Offender No.3 is fake account holder and offender No.4 is the Manager who sanctioned the loan illegally. Offender No.4 is the lady and she has no previous antecedents about involvement of illegal transactions. The offender No. 3 is young person and his family depends upon his income. Offender No.4 is aged about more than 50 years.

The money involved in the case is public money and same is economic offence. Offenders are not entitled for benefit of provisions of Sec. 3 and 4 of the Probation of Offenders Act, 1958. Offender No.4 being the banker has committed the offence punishable u/sec. 409 of IPC for which punishment prescribed for life imprisonment. Therefore, offenders are not entitled for benefit of above provisions. However, in order to gain public trust and it is the lesson to the persons involved in fraudulent transactions. Considering the above all grounds court is of the opinion that minimum sentence is to be imposed. Hence, court proceed to pass the following.....

ORDER

Offender No.3 and 4 are convicted and sentenced to under go simple imprisonment for 3 months for the offence punishable u/sec. 120B r/w.34 of IPC.

Offender No.3 and 4 are convicted and sentenced to under go simple imprisonment for 1 year for the offence punishable u/sec. 406 r/w.34 of IPC.

Offender No.3 and 4 are convicted and sentenced to under go simple imprisonment for 1 year for the offence punishable u/sec. 420 r/w.34 of IPC and shall also pay fine of Rs.5,000/- each. In default of payment of fine they shall undergo further imprisonment for 2 months.

Offender No. 4 is convicted and sentenced to undergo simple imprisonment for 1 year for the offence punishable u/sec.409 of IPC and pay fine of Rs.5,000/-. In default of payment of fine she has to undergo further simple imprisonment for 2 months.

All the sentences shall run concurrently.

Offenders are entitled for set off u/sec. 428 of Cr.P.C.

Office to supply free of cost copy of judgment to the offenders.

(R.L.HONOLE)
SR.CIVIL JUDGE & J.M.F.C.,
KALAGHATAGI

ANNEXURE

WITNESSES EXAMINED FOR PROSECUTION:

PW.1 : Varun s/o Janardhan Kandpal
PW.2 : Yashwant s/o Mohan Kumtakar
PW.3 : Prakash s/o Yallavva Yaragunti
PW.4 : Mahadevappa s/o Kuberappa Simpi
PW.5 : Mahesh s/o Channayya Maribasayyanavar
PW.6 : Aman s/o Alok Mittal
PW.7 : Bhanudas s/o Natha Pimple
PW.8 : Srinath s/o Jayachandra Babu
PW.9 : Nagaraj s/o Bhujabali Kadabi
PW.10 : Anand s/o Appanna Doni

DOCUMENTS EXIBHITED FOR PROSECUTION:

Ex.P.1 : Private Complaint
Ex.P.1(a) : Signature of PW.1
Ex.P.2 : Seizure panchanama
Ex.P.2(a) : Signature of PW.1
Ex.P.2(b) : Signature of PW.4
Ex.P.2(c) : Signature of PW.10
Ex.P.3 : Photo
Ex.P.4 : Application cum proposal for vehicle loan
Ex.P.5 : Copy of loan sanction order
Ex.P.6 : Vehicle loan agreement
Ex.P.7 : Guarantee agreement
Ex.P.8 : Accused persons identity documents
Ex.P.9 : Proforma Invoice
Ex.P.10 : Demand notice
Ex.P.11 : Cibil consumer credit information report
Ex.P.12 : Form of notice of transfeer of ownership of a motor vehicle
Ex.P.13 : Personal banking-Car loan-Master circular
Ex.P.14 : :Letter of staff details
Ex.P.15 : Crime detail form
Ex.P.15(a) : Signature of PW.2
Ex.P.15(b) : Signature of PW.3
Ex.P.15(c) : Signature of PW.10
Ex.P.16 : Statement of PW.3

Ex.P.17	:	Further statement of PW.3
Ex.P.18	:	Statement of PW.5
Ex.P.19	:	Further statement of PW.5
Ex.P.20	:	Letter of staff details
Ex.P.21	:	Car loan NPA
Ex.P.21(a)	:	Signature of PW.6
Ex.P.22	:	Misappropriation of bank fund
Ex.P.23	:	Statement of account
Ex.P.24	:	Statement of PW.6
Ex.P.25	:	Corporation Bank account statement
Ex.P.26	:	Account Opening Form
Ex.P.27	:	Letter to Circle Inspector, Kalaghatagi Dtd: 30.10.2017
Ex.P.28	:	FIR
Ex.P.28(a)	:	Signature of PW.10

MATERIAL OBJECTS MARKED FOR PROSECUTION:

-- NIL--

WITNESSES EXAMINED FOR DEFENCE:

--NIL—

DOCUMENTS EXIBITED FOR DEFENCE:

--NIL--

(R.L.HONOLE)
SR.CIVIL JUDGE & J.M.F.C.,
KALAGHATAGI