

KADW310004392021



**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.55/2021

COMPLAINANT :

State by Kalaghatagi Police

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

Vs

ACCUSED :

1. Raghavendra s/o Basavaraj Patil,
Age: 33 years, Occ: work at Radium
shop, R/o LIG House No.6,
Chaitanya Nagar, Dharwad.
2. Ningaraj Ramanna Siddappanavar,
Age: 41 years,
Occ: Radium business,
R/o Chaitanya Nagar,
Dharwad
(Dead-Abated)
3. Smt. Rohini D/o Chittaranjan Dani,
Age: 48 years, Occ: S.B.M., Bank
Manager, Kalaghatagi

(A- 2 Abated)
(A-1 Sri. A.T.Olekar, Adv)
(A-3 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 for taxi purpose with yellow board had submitted loan application on 08.10.2015 for sanction of term loan of Rs.4,00,000/-. It is alleged that

accused No.2 was stood as guarantor for loan of accused No.1, have executed Guarantee Agreement dated 23.04.2015. It is submitted that the accused have also furnished copy of documents to the Bank and Proforma Invoice dated 14.04.2015 issued by Bhagyalaxmi Motors Hospet and cash receipt of Bhagyalaxmi Motors. Accordingly, the complainant has sanctioned medium term loan of Rs.4,00,000/- to the accused No.1 on 23.04.2015. It is alleged that accused No.1 has executed loan documents with conditions and also executed vehicle agreement agreeing to repay the said amount with monthly installment of Rs.7,100/- with interest at the rate of Rs. 10.75% per annum and also agreed to pay interest prevailing from time to time.

4. It is submitted 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 sanction. The accused persons have committed 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 and 2 cited in the complaint and inserted accused No.3 Smt. Rohini Dani, the then Manager of complainant Bank and banker who has sanctioned loan without

verifying documents and transfer it to the loan account and thereafter transfer to the account of accused No.2 who has opened false account in the name of Bhagyalaxmi Motors Proprietor and got benefit from SBI Life Insurance Policy in agreement with accused No.1 has received incentive and caused loss to the Bank. It is alleged that the accused persons colluding with each other in furtherance of their common intention have made criminal conspiracy, criminal breach of trust and cheating to cause loss to the bank 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. During course of investigation police have arrested accused No.1 and 2 and produced before the

court under body warrant and they are enlarged on bail. Accused No.3 has obtained anticipatory bail and got enlarged on bail.

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. 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.

10. 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.

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

12. During pendency of case accused No.2 is reported to be died, therefore, case against accused No.2 is closed as abated.

13. 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.1 and 3 have denied and not chosen to lead defence evidence. Accused No.3 in her reply to the statement of prosecution witnesses explained that accused No.1 and 2 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.3 has produced documents, but she could not get mark the documents.

14. Heard the arguments.

15. The points that arise for my consideration are:

1. Whether the prosecution proves beyond all reasonable doubt that accused No.1 without intention to purchase car to gain wrongfully on 08.10.2015 has applied for car loan of Rs.4,00,000/- for which accused No.2 was stood as guarantor and they have executed loan documents with under taking to repay as per agreement and accused No.3 being the banker without verifying documents in violation of car loan rules in collusion with accused No.1 and 2 to gain illegally and entered into agreement with accused No.1 to purchase SBI Life Insurance Policy after sanction of loan has dishonestly misusing her fiduciary position misused her power and to deceit the bank to cheat has sanctioned car loan of Rs.4,00,000/- on 23.04.2015 and transferred the money to the SB Account No.64168389215 at State Bank of India, Jayanagar, Dharwad branch and loan account No.6417031015 at State Bank of India, Kalaghatagi branch and thereafter said amount was transferred amount of Rs.4,00,000/- to the fake current bank account No.CBCA/01/150002 at Corporation Bank, Saptapur branch, Dharwad opened in the name of accused No.2 as M/s. Bhagyalaxmi Motors and thereby committed the offences punishable u/sec. 120B, 406, 409, 420 r/w.34 of IPC?

2. What order?

16. My findings on the above points are :

POINT No. 1 : In the affirmative

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

REASONS

17. **POINT No.1:** Before going into merits of case, I would like to make it clear that in the complaint date of submission of loan application and date of sanction have been wrongly mentioned. It appears that there was serious of case and cut and paste policy was applied for which there was mistake. However, the material evidence on record is sufficient to decide the case.

18. The prosecution has alleged that accused No.1 has applied loan from the Bank to purchase car and accused No.2 was guarantor for said loan without intention to buy have produced false documents and executed loan documents have not repaid the loan amount. It is further alleged that fake account was opened in the name of accused No.2 as proprietor of Bhagyalaxmi Motors and accused No.3 without verifying the records in collusion with accused No.1 and 2 have

got transferred loan amount of Rs.4,00,000/- on 8.10.2015 to the State Bank of India, Jayanagar, Dharwad branch, SB account No.64168389215 and loan account of accused No.1 at State Bank of India, Kalaghatagi branch account No.64172031015 and thereafter it was transferred to the Corporation Bank, Dharwad branch, Current Bank account No.CBCA/01/150002. It is further case of prosecution that accused No.3 has got illegal agreement with accused No.1 that after sanction of loan he has purchased SBI Life Insurance Policy of Rs.50,000/- and received incentive amount and got profit. Accused persons colluding with each other have made criminal conspiracy, breach of trust and to cheat the Bank and to gain illegally have received the loan amount and misused the same.

19. In order to bring home the guilt of accused, the prosecution has examined 10 witnesses out of 11 cited in charge sheet witnesses (CW) as prosecution witnesses

(PW) as PW.1 to 10 and got marked Ex.P.1 to Ex.P.28. CW.5 is reported as died and his evidence is dropped.

20. Learned APP argued that accused No.1 was the borrower, accused No.2 was the guarantor and fake bank account holder in the name of Bhagyalaxmi Motors, accused No.3 being the Manager of bank in collusion with accused No.1 and 2 have got created false documents with intention to cheat and got transferred an amount of Rs.4,00,000/- as car loan without intention to purchase the car 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 of Bhagyalaxmi Motors standing in the name of accused No.2 and they have cheated. To get money from the bank accused have cheated no consistency in the defence put forth by accused persons and it was not established. There was lack of explanation by the accused persons. The accused persons have 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.

21. Learned counsel for accused No.3 argued that accused No.3 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.3 has received incentive from SBI Life Insurance Policy has arrayed the accused No.3 as also accused in this case. Absolutely no evidence against accused No.3 to prove that she was also involved in the commission of offence and received money transferred in the name of accused No.1 and 2. 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. She was acted bonafiedly. It is not the duty of accused to verify

account details furnished by accused persons. After verifying cibil score records sanctioned loan. The accused No.1 and 2 have created bank accounts in the fake name. It is not possible for accused No.3 to open account. Without account RTGS cannot be created. It is argued that the bank can recover loan amount by filing civil suit. Some of the cases have been already closed. The mistake or negligence on the part of accused No.3 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 313 statement also explained incriminating circumstances appearing against her and also produced documents shows that there is no fault on the part of accused No.3. Accused No.3 is reputed employee of bank and so may awards and certificates have been issued to her. It is argued that documents produced by prosecution are not properly certified and they are inadmissible. The material evidence placed on record by the prosecution are not

sufficient to convict the accused No.3. Therefore, prays for acquittal of accused.

22. I have gone through the oral evidence of prosecution. CW.1 is examined as PW.1 by name Varun Kandapal 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. He deposed that they have got issued notice to the Bhagyalaxmi Motors but they have not received any reply. It is further

deposed that after suspecting the cheating he approached the higher authority and as per their direction he lodged complaint as per Ex.P.1. He deposed that 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). He also identified Ex.P.3 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.

23. PW.1 subjected to cross examination. In the cross examination on behalf of accused No.1 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:

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.

ix) 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.

24. 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.3 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.

25. 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.

26. Learned counsel for accused No.3 cross examined PW.1. So far in respect of accused No.3 is concerned PW.1 was soft during the course of cross examination. All the suggestions made to him about accused No.3 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.3 that she had 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.3. 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.3 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.3.

27. PW.2/CW.2 Yashavant Kumtakar, the then Head Cashier of SBM, Kalaghatagi branch who is witness to the Spot Panchanama. He deposed that on 21.05.2017 from 3.15 p.m. to 4.15 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 there was denial suggestions. His evidence is supported with documentary evidence and proves that Panchanama has been conducted in the branch office where accused are meeting. The oral evidence of PW.2 is supported with contents of Ex.P.2 and proves the spot Panchanama conducted at the spot.

28. PW.3/CW.3 Prakash Yaragunti, sweeper cum peon SBM, Kalaghatagi branch. PW.3 is the spot pancha and witness, who deposed that on 21.05.2017 at about 3.15 p.m. to 4.15 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 Panchanama 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 and 2 coming to their bank branch for obtaining loan and sitting in the office of accused No.3 for long time. The other suggestions were denied. He identified accused No.1 stating that he was visiting their bank. The evidence of PW.3 is sufficient to prove the spot Panchanama conducted at SBM branch office where accused are meeting. The oral evidence of PW.1 is sufficient to prove the Panchanama conducted at the branch office. He was the witness who has seen meeting of accused persons in the chamber of accused No.3. In the cross examination he stated about Panchanama conducted before him. His evidence is supported with the case of the prosecution.

29. PW.4/CW.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.14 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 12.30 p.m. to 1.45 p.m. and as per Ex.P.2, Ex.P.3 to 13 have been seized. He stated that after preparing Panchanama knowing the contents signed. In the cross examination stated that in his presence documents have been given, therefore, he signed the Panchanama. It is stated that at the time of Panchanama bank documents have been given. The oral evidence of PW.4 is supported with the case of the prosecution. His evidence is sufficient to prove the seizure Panchanama marked at Ex.P.2.

30. PW.5/CW.6 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.3 was Manager of the bank. He stated that accused No.1 and 2 have obtained car loan but they have not made repayment at that time accused No.3 was the Manager of the bank. It is deposed that after transfer of accused No.3, 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.5 has been partially treated as hostile witness and in the cross examination denied all the suggestions made to him about visit of accused to the bank branch and purchase of car 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.3 as Manager, accused No.1 and 2 have obtained car loan and not made payment.

31. 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 and 2 but stated that they are coming to their bank. He stated that accused No.3 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.3 was the Manager of the bank. It is deposed that after transfer of accused No.3, 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.3 marked at Ex.P.20 and his signature marked at Ex.P.20(a). He stated that he has produced car loan NPA list marked at Ex.P.21. It is 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 and 2 to the chamber of accused No.3 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 Bhagyalaxmi Motors to purchase of car by providing guarantee of accused No.2 and accused No. 3 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.2 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 and 2 meeting the accused No.3 for obtaining car loan and he has seen all the accused persons meeting in the chamber of accused No.3. He got issued list of NPA, misappropriation letter and bank statement of accused No.1 which are marked as Ex.P.20 to 23 respectively.

32. 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 owner 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 of Corporation Bank, Dharwad branch along with copy of Adhar card, pan card, election identity card and he has given statement before the police in this regard. In the cross examination his oral evidence denied. The oral evidence of PW.7 is crystal clear that accused No.2 has opened his account at Corporation bank, Dharwad, prior to applying loan from complainant bank in the name and style as M/s Bhagyalaxmi Motors. The documents got marked through PW.7 at Ex.P.25 establishes that accused No.2 has applied for opening of bank account in Corporation Bank, Dharwad in the name and style as M/s. Bhagyalaxmi Motors proprietor and also put seal in the said name as proprietor. The documents produced along with Ex.P.25 shows that he was not the proprietor. Accused No.2 was the previous

seizing agent of State Bank of Mysore Bank. The Corporation bank, Dharwad, only on the basis of self declared application and seal of the company have opened the bank account without verifying authenticated documents. The endorsement issued by PW.8 which is marked Ex.P.27 shows that there is no registration of company in the name and style as Bhagyalaxmi Motors Maruti Suzuki sub dealer at Hospet. These all facts goes to shows that accused No.2 has opened his fake account in the name of M/s. Bhagyalaxmi Motors and he was not the proprietor of the said company.

33. PW.8/CW.9 Jayapadma P.N., the then Sub Registrar, Hospet. She deposed that she was worked as Sub Registrar of Hospet from 2014 to 2018. On 02.11.2017 she has received letter from Kalaghatagi Police for furnishing details of registration of Bhagyalaxmi Motors Maruti Suzuki sub dealers. They have searched the records and came to know there was no such company is registered in the said name.

Accordingly, issued information as per Ex.P.27. The oral evidence of PW.8 is crystal clear that there was such firm in the name and style as Bhagyalaxmi Motors, Maruti Suzuki sub dealer, market road, Hospet is registered. From this it can be said that Ex.P.8 cash receipt alleged to be issued by Bhagyalaxmi Motors and zerox copy of Proforma Invoice produced before the bank at the time of obtaining loan are created documents. Another cheque for it the address shown in the said Bhagyalaxmi Motors is of Hospet and the account in the said name is opened at Dharwad but providing address of accused No.2. It is clear from records that false documents have been produced for obtaining loan from the bank. In the cross examination there is nothing has been elicited. The evidence of PW.8 is supported with the case of the prosecution.

34. PW.9/CW.10 Sharifsab Mishrikoti, the then Head Constable. He deposed that on 21.05.2017 received complaint from the court and got registered Crime

No.184/2017 and sent the same to the court along with complaint. He identified FIR marked at Ex.P.28 and his signature marked at Ex.P.28(a). It is deposed that he has handed over further investigation to CW.11. In the cross examination there was denial suggestions. The evidence of PW.9 is supported with case of the prosecution.

35. PW.10/CW.11 Anand Doni, the then PSI, Investigating Officer. PW.10 deposed that under taken further investigation from CW.10 and issued notice for producing loan 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. He identified signature marked at Ex.P.2(c). It is deposed that at the time of Panchanama photo was taken as per Ex.P.14. He stated that they have issued notice to the CW.9 to produce documents and they have filed the report as per Ex.P.27. It is stated that he sought bank details of accused from Corporation Bank, Dharwad and they have produced

Ex.P.25. It is stated that he got issued notice to CW.1 and produce loan documents and same were taken on case file.

36. It is further deposed that on 05.05.2019 he recorded further statement of CW.1. On 12.07.2019 he arrested accused No.1 and sent to the judicial custody and on the same day recorded voluntary statement of accused No.1. He stated that he has recorded statement and further statement of CW.3,6,8. It is deposed that he received documents pertaining to accused No.3. He deposed that accused No.1 knowingly that accused No.2 has opened fake account in the name of bhagyalaxmi Motors has sanctioned loan and transferred the money. Accused persons by cheating have received amount from the account of accused No.2. The prima facie material shows that there are sufficient materials against accused persons for commission of offence. He also identified accused No.1.

37. In the cross examination by learned counsel for accused No.3 it is suggested to PW.10 that in the complaint name of accused No.3 was not mentioned. It is true that while lodging complaint there was mention of accused No.1 and 2 only, during course of investigation Investigating Officer come to a conclusion that accused No.3 is also involved in the case, therefore, she is 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. It is true that Ex.P.3 to

13 are the zerox copy of loan application, loan sanction letter, Hypothication letter, guarantee agreement, voter I.D., Adhar card copy, pan card, cash receipt, Proforma Invoice, cibil report, copy of notice, bank circular which are not at all disputed by accused persons. The police have seized Ex.P.3 to 13 from the custody of bank as per Panchanama. In a criminal case there is no strict proof of document is required. Even zerox copy of document is admissible. The material point for consideration in this case is illegal sanction of loan and transfer of money. Therefore, the legality and validity of the documents cannot be challenged. Further loan transactions, sanction of loan amount and credit of sanctioned amount to the account of accused No.1 and 3 have not been disputed by accused persons. Therefore, I find no merits in the suggestions.

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. Learned counsel for accused No.1 adopted the cross of accused No.3. The oral testimony of PW.10 is supported with prosecution case and his evidence has not been discredited.

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. In this case, 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 (complainant), 4 (Pancha) and 10 (Investigating Officer) 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. I find no merits in the arguments.

40. The prosecution in support of oral evidence got marked the documents. 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 zerox copy of term loan application with transfer debit, RTGS remittance, transfer credit, transfer debit shows that Rs.4,00,000/- amount has been transfer to the account of accused No.1 and thereafter it was transferred to the name of Bhagyalaxmi Motors account standing in the name of accused No.2 through transfer from State Bank of Mysore, Kalaghatagi branch. Ex.P.4 is the zerox copy of vehicle loan sanction letter with conditions duly signed by the borrower and guarantor i.e., accused No.1 and 2 and letter of interest rate signed by borrower. Ex.P.5 is the zerox copy of vehicle agreement (Form 1848) with Hypothecation agreement. Ex.P.6 is the zerox copy of guarantee agreement. Ex.P.7 is the zerox copy of election

identity card, ration card, Adhar card, driving licence, pan card, credit report declaration of accused No.1 and 2. Ex.P.8 is the is the zerox copy of cash receipt of Bhagyalaxmi Motors with proforma invoice. Ex.P.9 is the zerox copy of notice with information to furnish invoice copy, insurance and registration certificate of vehicle issued to the accused No.1. Ex.P.10 is the is the zerox copy of cibil report. Ex.P.11 is the is the zerox copy of Form No.26, 29, 30 for certificate of registration, report of transfer of ownership of motor vehicle. Ex.P.12 is the Master Circular of car loan scheme issued by State Bank of Mysore. Ex.P.13 is the zerox copy of details of staff of State Bank of India, Kalaghatagi branch.

41. Ex.P.14 is the photo taken at the time of conducting seizure of documents Panchanama. Ex.P.15 is the spot Panchanama dated 21.05.2017 conducted at State Bank of Mysore, Kalaghatagi branch office. Ex.P.16 to 19 and 24 are the statement and further statement of witnesses. Ex.P.20 is the staff details which shows that

accused No.3 was working as branch Manager in State Bank of Mysore, Kalaghatagi branch now called as State Bank of India from 22.09.2014 to 07.08.2016. Ex.P.21 is the zerox copy of car loan NPA list wherein accused No.1 and 2 names were appearing. Ex.P.22 is the letter addressed by Assistant General Manager, Regional Office-2 Hubballi dated 03.11.2016 directing the Branch Manager, Kalaghatagi Branch to lodge complaint against the borrowers as per list enclosed with letter.

42. Ex.P.23 is the statement of account issued by State Bank of India, Jayanagar, Dharwad belongs to accused No.1 account No.64168389215 and statement of account of loan account No.64172031015 at SBI, Kalaghatagi branch of accused No.1. The said entries disclose that on 25.04.2015 Rs.4,00,000/- was credited to the said account and debited to the loan account.

43. Ex.P.25 is the Account Statement of M/s. Bhagyalaxmi Motors, its proprietor standing in the name of Ningaraj Siddappanavar (acused No.2) pertaining to

account No.CBCA/01/150002. The details of entry date 28.04.2015 shows that an amount of Rs.4,00,000/- has been credited to the said account. Ex.P.26 is the is the copy of account opening Form of accused No.2 at Corporation Bank, Dharwad with pan card, registration certificate, driving licence and Adhar card. Ex.P.27 is the information letter issued by the Sr. Sub Registrar, Hospet stating that no company has been registered in the name of Bhagyalaxmi Motors, Maruti Suzuki sub dealers, market road, Hospet. Ex.P.28 is the FIR registered in Kalaghatagi P.S.crime No.184/2017 dated 21.05.2017.

44. 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.

45. The documents got marked by prosecution establishes that, accused No.1 has applied for purchase of car loan from complainant bank and accused No.2 was guarantor to the said loan have executed loan agreement and supplementary letter to Hypothication agreement for under taking to repay the loan amount. Accused No.3 has sanctioned car loan of Rs.4,00,000/-. The car loan amount sanctioned to the accused No.1 has been transferred and credited to the current bank account No.CBCA/01/150002 standing in the name of accused

No.2 at Corporation Bank, Dharwad. The said amount is remitted to the account of accused No.2 through RTGS. The endorsement issued by Sub Registrar, Hospet discloses that there was no existence of company registered in the name M/s. Bahgyalaxmi Motors Pvt. Ltd., at Hospet. The alleged receipts produced by the accused before the bank i.e., cash receipt and proforma invoice are also concocted and created documents to get sanction the loan. No vehicle has been purchased.

46. 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 also requested to make payment of loan amount, neither the vehicle has been produced or loan amount has been repaid. It shows that accused persons hatched up a plan and criminal conspiracy to cheat the bank have submitted false documents of Invoice Proforma, advance booking amount, receipt to show that car was purchased.

Accused No.3 having knowledge of no intention to purchase car of accused No.1 who had in fiduciary capacity, misused entrusted power of sanction of loan to deceive the bank has sanctioned the loan. Accused No.2 was not the proprietor of M/s. Bhagyalaxmi Motors, has opened fake account and got transferred loan amount. Deceased accused No.2 was main person who has introduced accused No.1 to the accused No.3 and created fake account in his own name. He was also one of the borrower has filed loan application and got sanctioned in his name and thereafter he introduced other accused persons for car loan for which himself was stood as guarantor to the all loan transactions for purchase of car. Accused persons have got sanctioned the car loan without purchase have misused the loan amount and committed fraud.

47. To rebut documents got marked by the prosecution accused have not produced documents. It is true that in 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. Documents got marked by prosecution are bankers documents and they have got presumptive value under law. Accused persons not disputed the sanction of loan and transfer of loan amount and their signatures appearing on loan documents. Case of the prosecution is mainly based upon documentary evidence. The material documents based on record are satisfactory to prove the guilt of accused persons. The oral evidence of prosecution witnesses to prove the meeting of minds of accused persons and their common intention to deceive the bank is supported with documentary evidence.

48. The prosecution papers and statement of witnesses discloses that accused No.1 was working at radium shop. Deceased accused No.2 Ningraj 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.3) and also stood as surety to the loan sanctioned in the name of accused No.1 and opened fake account in the name and style as M/s. Bhagyalaxmi Motors at Corporation Bank, Dharwad branch and the bank authority without verifying the relevant documents opened the Current Bank Account in the name of accused No.2 styled as proprietor of M/s. Bhagyalaxmi Motors. Accused No.2 was not doing business of sale of vehicles and he was not the proprietor or authorized dealer of Maruti Suzuki company. The documents placed on record establishes that prior to applying loan accused No.2 has opened his account in the name and style as Bhagyalaxmi Motors Dharwad. Accused No.3 without

verifying quotation and bank details of Bhagyalaxmi Motors, has transferred the loan amount to the account of accused No.1 at SBI, Kalaghatagi branch SB account No.64172031015, loan amount of Rs. 4,00,000/- and thereafter it was transferred to the SB Account No.64168389215 at SBI, Jayanagar, Dharwad branch belongs to accused No.1 and thereafter it was transferred to the account of accused No.2 at Corporation Bank, Saptapur, Dharwad in A/c No. CBCA/01/150002. The relevant entries of Bank records establishes transfer of loan account.

49. The agreement between accused No.1 and 3 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.3 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 3 for purchase of

Life Insurance Policy. The allegations made in the charge sheet has not been disputed by the accused No.3. 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 3 there is no need to sanction loan. Therefore, it can be inferred that there was an agreement between accused No.1 and 3 for purchase of insurance policy.

50. Learned counsel for accused No.3 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.3 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.2 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.3 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.3 has acted bonafied and

taken proper care she could have stopped illegal transactions. It is also within the knowledge of accused No.3 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.3 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.3 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.3 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.3 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.6418389215 of accused No.1, thereafter it was transferred to the account of accused No.3 wherein entry dated 05.10.2015 disclose that amount has been credited 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 demeanour 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 offence 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.1 and 3 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.1 and 3 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 3 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.2 died during pendency of case and case against him is abated. Offender No.1 is main borrower and fake account holder and offender No.34 is the Manager who sanctioned the loan illegally. Offender No.3 is the lady and she has no previous antecedents about involvement of illegal transactions. The offender No.1 is the young person and

his family depends upon his income. Offender No.3 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.3 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.1 and 3 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.1 and 3 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.1 and 3 are convicted and sentenced to under go 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. 3 is convicted and sentenced to undergo simple imprisonment for 1 hears 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 : Jayapadma P.N. w/o Nagendrappa
PW.9 : Sharifsab s/o Alisab Mishrikoti
PW.10 : Anand s/o Appanna Doni

DOCUMENTS EXIBHITED FOR PROSECUTION:

Ex.P.1 : Private Complaint
Ex.P.1(a to e): 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 : Application for term loan
- Ex.P.4 : Copy of loan sanction letter
- Ex.P.5 : Vehicle agreement
- Ex.P.6 : Guarantee agreement
- Ex.P.7 : Copy of election I.D. card, Adhar card, D.L.
Credit report
- Ex.P.8 : Cash receipt of Bhagyalaxmi Motors,
proforma invoice
- Ex.P.9 : Copy of Insurance & R.C.
- Ex.P.10 : Cibil consumer credit information report
- Ex.P.11 : Form No.26,29, 30
- Ex.P.12 : Car loan Master Circular
- Ex.P.13 : Staff details of bank
- Ex.P.14 : Photo
- Ex.P.15 : Crime detail form
- Ex.P.15(a) : Signature of PW.2
- Ex.P.15(b) : Signature of PW.3
- 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.22 : Misappropriation of bank fund
- Ex.P.23 : Statement of account of SBI
- 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 Police Sub Inspector, Kalaghatagi
Dtd: 04.11.2017
- Ex.P.28 : FIR
- Ex.P.28(a) : Signature of PW.9

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