

**IN THE COURT OF THE CIVIL JUDGE AND J.M.F.C., AT
AFZALPUR**

Criminal Case No.649/2025

Prakash S/o Mallikarjun Yankanchi,
Age: 40 years, Occ: Business &
Agriculture, R/o Ambigara
Chowdayya Nagar, Afzlpur, Dist:
Kalaburagi.

Complainant

Versus

Nagappa S/o Shivasharanappa
Nimbargi, Occ: Working in Petrol
Pump & Business, R/o New Bangalaga
village, Tq: Afzalpur, Dist: Kalaburagi.

Accused

STATEMENT OF ACCUSED UNDER SECTION 313 OF Cr.P.C

Q.No.1 Have you heard the witnesses of the complainant?

Ans:

Q.2: PW-1 Prakash S/o Mallikarjun Yankanchi, has
deposed that the he is agriculturist and businessman
at Afzalpur. The he and you are close friends since 4-5
years, you working as Manager, at Nimbalkar Petrol
Pump, Kalaburagi Road, Afzalpur and is also doing

business. The PW-1 and the you used to meet frequently further business purpose and also to discuss other things. The PW-1 is financially sound person and had sufficient amount with him, agreement by sale of his plots at Afzalpur to the prospective vendors. This fact was known to the you being a friend. The financial condition of the PW-1, the you had approached the house of the PW-1 on 10.02.2024 and requested PW-1 to give hand loan of Rs.10,00,000/- (Rupees Ten Lakhs) for personal reasons and for doing the new business. What do you say?

Ans:

Q.3: PW-1 further deposed that believing the words and looking into the friendship the PW-1 has paid the amount of Rs. 10,00,000/- (Rupees Ten Lakhs) on 10.02.2024 to the you without any interest, with a condition to return the amount within six months, in the presence of the witnesses. What do you say?

Ans:

Q.4: PW-1 further deposed that PW-1 was in need of money for his personal family needs, therefore, requested the you to repay the amount due from him. Considering the request you gave a cheque bearing No.06543 for

Rs.10,00,000/- (Rupees Ten Lakhs) of State Bank of India Branch Afzalpur infavour of the PW-1 on 25.07.2024.What do you say?

Ans:

Q.5: PW-1 further deposed that the PW-1 presented the said Cheque on the same day to the Bank, which came to be bounced for insufficiency of funds in the Account of the you, as per the endorsement given on 26.07.2024 by the Bank. What do you say?

Ans:

Q.6: PW-1 further deposed that the you has intentionally and willfully issued the said cheque to me with a sole dishonest intention to not to pay the amount of Rs.10,00,000/- though he is under obligation to pay the same. It also depict that inspite of not having sufficient balance in his account, the you issued the said cheque to me and the same are dishonored thereby committed an offence punishable under section 138 of N.I. Act. What do you say?

Ans:

Q.7: PW-1 further deposed that after the dishonour of Cheque the PW-1 issued legal notice dated 02.08.2024 by registered post demanding to repay the Cheque amount within 15 days from the date of the notice. But

the said notice was returned to the complainant on 26.07.2024 with a remark "**FUNDS INSUFFICIENT** and did not pay the hand loan amount and thereby committed an offence punishable under section 138 of N.I. Act. What do you say?

Ans:

Q.No.8: Do you got anything else to be stated?

Ans:

Q.No.9: Do you lead any evidence to your defence?

Ans:

(Certified that the above statement of accused has been recorded in my presence and within the hearing of the accused and it contains true account given by him.)

Date:27.02.2026

CIVIL JUDGE & J.M.F.C.,
AFZALPUR.