

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

**DANDELI**

**CC. No. 1063/2022**

**Complainant : The Akshaya Co-op. Credit Society Ltd.,**

H.O. Karwar, Taluk: Karwar, District: Uttara Kannada,  
Rep. by its Branch Manager of Dandeli Branch,  
R/o: Dandeli, Tq: Dandeli, Uttara Kannada District.

**-V/S-**

**Accused : Mr. Mohammed Sharif S/o. Sadiq Hateli,**

Age: 28 years, Occ: Business,  
R/o: T.R.T. Cross, Subhas Nagar,  
Dandeli, Tq: Dandeli, District: Uttara Kannada.

**Statement of the accused under Section 313 of Cr.P.C.**

**Que:1:** Have you heard the testimony of the prosecution witnesses?

**Ans:**

**Que:2:** PW-1: Shri. Richard S/o. Francis Golsalves, Branch Manager of complainant society in his chief examination he has stated that the accused is one of the customer of complainant society and he has requested with complainant society to grant business loan of Rs.2,00,000/- and on the loan application filed by him, complainant society sanctioned the loan of Rs. 2,00,000/- to the accused have testified that. What do you say to this?

**Ans:**

**Que:3:** PW1 continued his examination-in-chief that the accused has obtained the sanctioned loan amount of

Rs.2,00,000/- under the business loan account No.2148 from complainant society on 07-08-2019 for his business purpose, have testified that. What do you say to this?

**Ans:**

**Que:4:** PW1 continued his examination-in-chief that accused has agreed to repay the said loan amount in 60 monthly installments with interest at the rate of 15% per annum and also agreed to pay 2% penal interest in case of default. Before taking the loan amount, accused has executed the loan agreement and other documents in favour of complainant society, have testified that. What do you say to this?

**Ans:**

**Que:5:** PW1 continued his examination-in-chief that though complainant society requested the accused to repay the loan dues on several times, accused has not repaid the loan amount to complainant society as per the terms and conditions of loan agreement, have testified that. What do you say to this?

**Ans:**

**Que:6:** PW1 continued his examination-in-chief that as on 10-03-2022 the accused is liable to repay the total amount of Rs. 2,05,000/- towards the loan. When the complainant asked the accused to repay the loan amount with interest, the accused has issued a cheque of State Bank of India, Lenin Road, Dandeli Branch, Dandeli cheque bearing No. 843449 dated 10-03-2022 for a sum of Rs.2,05,000/- towards the repayment of loan, have testified that. What do you say to this?

**Ans:**

**Que:7:** PW1 continued his examination-in-chief that as per the instructions of the accused, the complainant society has presented the said cheque for collection to Union Bank of India, Dandeli branch, Dandeli on 22-03-2022, the said cheque is returned with bank memo for reasons "Funds Insufficient". The accused has intentionally issued the said cheque with an intention to cheat the complainant society, have testified that. What do you say to this?

**Ans:**

**Que:8:** PW1 continued his examination-in-chief that, despite the same having brought to your notice by the complainant through his counsel on 04-04-2022 by registered post, calling upon the accused to make payment Rs.2,05,000/- within fifteen days from the receipt of the said notice. The accused received the notice on 06-04-2022 and not given any reply to the said notice and not repaid the said loan, have testified that. What do you say to this?

**Ans:**

**Que:9:** Do you have anything else to say?

**Ans:**

**Que:10:** Will you question someone as a witness on your behalf?

**Ans:**

(I have read the above questions to the accused in his language and have duly recorded the answers given by the accused in open court and hereby certify that they are correct.)

**Place: Dandeli**

**Date: 09-01-2026**

**Sd/-**

**Civil Judge & J.M.F.C., Dandeli**