

IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS),
58TH COURT, BANDRA, MUMBAI
STATEMENT OF ACCUSED U/SEC.313 OF CR.PC.
IN C.C.NO.144/SS/2021

Exh.36

Name of the accused : Mr.Ghanshyam Jagannath Gupta
Age : 34 years, Occ.: Taxidriver.
R/o.Room No.005, Near Modern Kitchen Hotel,
Arjun Residency, Diva (E), Thane.

Q.No.1) Have you heard & understood the evidence complainant's witness ?

Ans: Yes.

Q.No.2) It has come in evidence of PW.No.1 Mr. Stephen Sebastian Inchiparamban that you approached him for purchase of vehicle and after mutually agreeing to the terms and the conditions he and you entered into an Agreement for Sale of Toyota Ethios Model GD, Registration No.MH-02-EH-3410 for total consideration amount of Rs.4,45,000/-. What do you want to say about it?

Ans: It is true.

Q.No.3) It has further come in his evidence that for consideration amount you paid Rs.3 lakhs only as advance by transferring Rs.10,000/- to his daughter's account and 2,20,000/- in his account, and handed over cash of Rs.50,000/- to him and Rs.20,000/- to his wife and for balance amount you issued cheque bearing No.000069 dated 18.02.2020 of Rs.1,45,000/- drawn on Bank of Baroda, Khar (W), Mumbai. What do you want to say about it?

Ans: It is false. I had given blank signed cheque. Out of Rs.1,45,000/-, Rs.6,000/- was to be deducted for fine charges levied on vehicle. I was to pay only Rs.1,39,000/-. Out of said amount I have paid Rs.80,000/- to him in hospital when he was parallelized and admitted. I have also transferred Rs.10,000/- into account of his daughter on Christmas.

Q.No.4) It has further come in his evidence that said cheque was issued by you and contents your signature. What do you want to say about it ?

Ans : I have issued blank signed cheque.

Q.No.5) It has further come in his evidence that on depositing said cheque in his bank the same was dishonoured and returned unpaid with the remark 'Funds Insufficient' vide memo dated

26.02.2020. What do you want to say about it ?

Ans : It is true.

Q.No.6) It has further come in his evidence that his wife file NC informing the concerned PS at Nirmal Nagar regarding the dishonoured of the said cheque on 27.02.2020. What do you want to say about it ?

Ans : It is true.

Q.No.7) It has further come in his evidence that the complainant issued demand notice dated 29.02.2020 and called upon you to pay the cheque amount within a period of 15 days from the date of receipt of the notice. What do you want to say about it?

Ans : I have received demand notice.

Q.No.8) Why the witness is deposing against you?

Ans : Complainant has deposed false on ego.

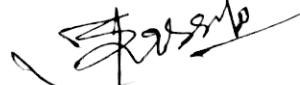
Q.No.9) Do you want to examine yourself or any witness in support of your defence?

Ans : Yes.

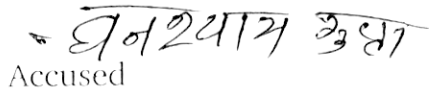
Q.No.10) Do you want to say anything about this case ?

Ans : I am liable to pay only Rs.49,000/-.

Before me



(M. P. Saraf)



Accused

(Ghanshyam Jagannath Gupta)

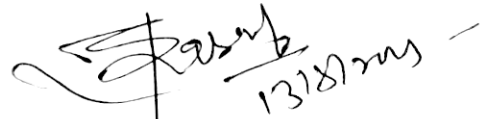
Judicial Magistrate(First Class),

58th Court, Bandra, Mumbai.

J.O.Code : MH01362

CERTIFICATE

The contents of above said statement recorded in my presence and hearing and explained to accused in Hindi. Accused admitted it as correct.



Judicial Magistrate(First Class),

58th Court, Bandra, Mumbai.

Date: 13.08.2025.