

C. W. No.1 M D Jamil on oath :-

C.C. No.672/SS/2016
Exh.94/30

Further Cross-examination by Advocate Mr. Jayesh Kanani for the accused:

59 I have checked in the file of the complainant whether the agreement dated 26.09.2011 is available. I found that it is not available. True to say that said agreement has not been filed by the complainant company against the present accused in connection with any other case in any other court. True to say that the complainant company has not paid any amount pursuant to said agreement to the accused. The witness volunteers that it has been renewed time to time.

60 In September 2011, the complainant company did possess approximately 2,08,000/ (Two lakhs Eight Thousand) shares of the Glodyne technoserve ltd. (The witness has sought permission to go through records available with him to answer this question and accordingly he answered on perusal of the papers with him). Not true to say that for the duration between December 2010 to September 2011, the complainant company sold more than Seven thousand shares of the Glodyne Technoserve Ltd. For the duration between December 2010 to September 2011, the complainant company did possess approximately 2,08,000 (Two lakhs Eight Thousand) shares of the Glodyne Technoserve Ltd. For the duration between December 2010 to September 2011 the complainant company did possess total shares 2,68,872 of the Glodyne Technoserve Ltd. The witness volunteers that those were returned during the same period. The complainant company did return said shares through Dmat account no. 10022476 to the

mmu

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Glodyne Technoserve Ltd. The numbers of total shares which were returned were not 2,68,872. The witness volunteers that approximately 50 to 60 thousand shares were returned.

61 The complainant company did have the information of the Dmat account of the Glodyne Technoserve, in their file, during December 2010 to September 2011.

Question: From which institution did the Glodyne Technoserve Ltd. had maintained its Dmat account during December 2010 to September 2011 ?

Answer: The Glodyne Technoserve Ltd did not have D mat account. The witness volunteers that we got the shares from their directors D mat account, which was being maintained in the ICICI bank. The witness volunteers that the director of Glodyne venture and holding pvt ltd, I guess.

Question: Is it correct then that your statement that the complainant company did have the information of the Dmat account of the Glodyne Technoserve, in their file, during December 2010 to September 2011, is incorrect ?

Answer: Yes.

Question: I put it to you that your statement that the complainant company, during December 2010 to September 2011, transferred shares to the Glodyne Technoserve ltd, is incorrect ?

Answer: Yes. The witness volunteers that the shares are transferred to the director Anand Sarnaik's Dmat account.

True to say that the fact that the complainant company transferred shares of the Glodyne Technoserve Ltd into the D mat account of Anand Sarnaik is not mentioned in Exh.110. Not true to say that I have never



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questioned Gyanprakash Sinha as to why said fact is not written in the complaint. I have inquired with Gyanprakash Sinha about aforestated information before presentation of the complaint. I don't recollect whether despite such inquiry Gyanprakash Sinha could not give cogent explanation.

Learned advocate representing the accused submits that he would require further time for cross-examination. Hence, as per their request and consent of the witness and the learned advocate for the complainant further cross-examination is deferred in the interest of justice.

R.O.A.C.

Date : 26.06.2025



(V.B. Gulve-Patil)
Judicial Magistrate First Class
20th Court, Mazgaon, Mumbai.