

Bank witness
C. W. NO. 2 on oath

C.C. NO. 3933/SC/2022
Exh.77

Name : Nutan Nitin Raut
Age : 54 years
Occupation : Service, Manager, State Bank of India, CAG Branch
Resident : Borivali, Mumbai

Examination-in-chief by Learned Advocate Mr. Sunil D'souza for the complainant:

- 1 I have received the court summons.
- 2 I have submitted the certificates under section 63 (4)(c) of the Bharatiya Sakshya Adhiniyam, 2023 and U/Section 2 (A) of Bankers' Books Evidence Act, 1891. Those are signed by me. The contents therein are correct.
- 3 I have submitted statement of account of the complainant company for the period 20.06.2011 to 30.06.2011. The cheque bearing nos. 784657, 784656, 784659, 784658 dated 21.06.2011 were returned on 23.06.2011. Those were returned dishonoured.
- 4 Now, I am shown bank return memos dated 23.06.2011 Exh.20. Those are issued by our bank.
- 5 The **certificates** and the **statement** are marked as **Exhs. 79, 80, 81.**

Learned Advocate for the complainant submits that, the Chief-examination has been completed.

Cross-examination by Advocate Mr. Pramod Pandey for the accused:

- 6 I have brought the court summons.
- 7 Now, I am shown the application Exh.78. It is not written by me. The witness volunteers that it is signed by me and it discloses

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the documents which I have produced. It is not true to say that the person who is author of this application, has brought the documents which are enlisted therein.

8 It is true to say that I am not an expert with regard to the computers system being operated in our bank. It is not true to say that I cannot issue the certificates Exhs.79, 80 since I am not a computer expert.

9 I joined this Ballard Pier branch, last year.

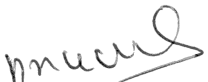
10 It is true to say that I don't have any knowledge as to who deposited said cheques for encashment, at that time.

11 Now, I am shown the bank return memos Exh.20. It is true to say that the bank return memos Exh.20 does not bear seal and signatures of our bank. It is true to say that there is such possibility that such memos can be prepared by anybody. The witness volunteers that why one would do such thing.

Learned advocate for the accused has submitted that cross-examination is completed.

Learned advocate for the complainant has submitted that re-examination is not required.

R.O.A.C.


(V.B. Gulve-Patil)

Date : 13.06.2025

Judicial Magistrate First Class
20th Court, Mazgaon, Mumbai.