

P.W. No.1 on S. A .

Further Cross-examination of C.W. No.1- Savita Kanaya, on oath, on behalf of accused by Advocate Shri. Dilip Bedi.

5. It is not true that many of documents were signed between accused and the complainant. It is true that it is wrong statement in the complaint that agreement to this effect that is loan agreement were executed by the accused (Para no.3 of complaint). It is true that I was doing job in the year 2015. It is true that in 2015 I was not involved in any business.

6. It is true that my father has not passed any board resolution in my favour. It is true that mention of 'A true photo copy of the board resolution annexed here to and marked as exhibit A' is false (Para No.1 of complaint last line). It is not true that I have made false verification of the complaint. It is not true that I have also made false verification in my evidence affidavit. It is not true that the verification made of the supporting affidavit is also false. The various stages is a word used in the complaint, it means time to time.

7. In para no.3 of the complaint interest word is used. The accused did not pay interest in installments. As such the amount was not advance as a loan. It was simply a friendly help. So no question of recovery of interest. The sentence in para no.4 of the complaint that 'the accused issued two cheques towards the interest drawn on Axis bank limited' is wrong. It is true that I have not filed returned envelope on record. It is true that the seal on acknowledgment receipts (Exh.12 Colly.) is not of M/s. Purple Construction Company.

8. It is true that accused gave us a cheque of Rs.54,000/- for every two months. The witness volunteers that it was not regular but it was for brief period. That amount was deposited in my fathers account,

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as my father had given is retirement money to accused. It is not true that blank cheques of accused were lying with my father. It is true that the cheque of Rs.10,00,000/- issued by accused was in the custody of my father. It is true that all the cheques issued by the accused were post dated.

9. According to me other cheques were also returned unpaid. However I do not recollect, how many those cheques were. It is true that I have not mentioned the numbers of the cheques which are dishonoured. It is true that the relations between my father and the accused were very cordial. It is true that our family relations were as well cordial. It is not true that the business of my father was the investment. It is not true that my father was investing money in the business of the accused.

10. It is not true that my father was charging interest on the investment amount. I don't know my father was having all the disputed cheques with him since 2014. It is not true that my father was having no legal debt against accused. It is not true that my father has not executed any power of attorney in favour of me. It is not true that I am deposing false. It is not true that I have filed false complaint against the accused. It is not true that I have misused the security cheques.

Cross-examination completed.

No re-examination.

R. O. A. C.

Before me,

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(**S. A. KHALANE**)
Judicial Magistrate(First Class)
43rd Court, Borivali, Mumbai
Date: 08/07/2024.