

C.C. No.4303123/SS/2015 ...02...
C.W. No.1 on S.A.

Date: 09/06/2026.

**Further Cross-examination of C. W. No.1 Harischandra Gupta on oath,
on behalf of accused No.3 by Advocate Shri.Chandrashekhar Yadav :-**

2. It is true that I had agreed to produce the partnership of accused. It is true that no such partnership existed and, therefore, I could not produce that partnership deed. It is not true that the amount was given to accused No.2 and not to accused No.3. The cheques were issued of the account of accused No.1. I had lent money to accused for construction of a shop. It is not true that no such amount was given to the accused. I don't know that I have not filed my bank statement showing that the amount is transferred to the account of accused.

3. It is true that as per letter dated 19.09.2014 I have received an amount of Rs.1,00,000/- from accused No.2. It is true that I had received two cheques from accused bearing cheque Nos.034800 and 034824 dated 13.11.2014 and 13.12.2014 of Rs.1,55,000/- each drawn on HDFC Bank. It is true that what happened of these above referred two cheques is not mentioned in my examination-in-chief. It is not true that I had received the payment through the above referred two cheques and, therefore, I have not mentioned anywhere about the above said cheques.

4. I don't know that it is not mentioned anywhere in the complaint or the evidence affidavit that I have received the disputed cheque after returning of the above said two cheques. It is true that I don't know the contents of the complaint, contents of the evidence affidavit and the demand notice. It is true that there is no mention on cheque that Saibaba Construction is a firm. I don't know that the disputed cheque bears the signature of accused No.2 and not the signature of accused No.3.

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5. I don't know that accused No.3 was working as an employee to accused No.1 and he was not a partner. It is not true that I have no legally recoverable amount from accused No.3. It is not true that accused No.3 is not liable to pay any amount. It is not true that accused No.3 was not a partner and, therefore, he is not liable to pay any amount. It is not true that I have filed false case against the accused and deposing false.

Cross-examination completed.

No re-examination.

R. O. A. C.

Before me,

kdc

(S. A. KHALANE)
Metropolitan Magistrate,
43rd Court, Borivali, Mumbai
Date: 09/06/2026.