

14. Whatever stated by me in my evidence affidavit is true and correct and in token thereof I have signed the affidavit.

Date : 21.04.2025

(M. P. Saraf)
Judicial Magistrate(First Class),
58th Court, Bandra, Mumbai.

Cross examination of CW-01- Rakesh Uttam Desai by advocate Mr. Onkar Mane for the accused :

15. I am graduate in Commerce. Now I am referred photo copy of Resolution of the meeting dated 10.06.2014 produced at Exh.19. It is true to say that said copy is notarized in the year 2019. I joined complainant company in the month of June 2014 as a Senior Officer. I am promoted as Deputy Manager in last year. I do not remember the date of Incorporation of Complainant Company. Complainant Company is running business of Pesticides and Agro Chemicals. Complainant company manufactures said products and even do marketing of the same. I have brought the original Minute Book for the Resolution of Board meeting dated 10.06.2014. I have not brought the notary copy of Board Resolution dated 10.06.2014. It is true to say that I have not produced original certified copy of Board Resolution for the meeting dated 10.06.2014.

16. I can not tell on which date the accused and his authorized signatory approached to the complainant company for the purpose of availing pesticides materials. They have approached in the year 2013-2014. Complainant company possess evidence of receiving the pesticide materials. It is true to say that I have not produced it on record. I will produce it on next date. We do not used to take cheques or any

security for the credit period of 90 days before supplying the pesticides. The purchase order was obtained by our sales team and not me. It is true to say that I do not have personal knowledge. I will have to verify our record to answer how or what mode the purchase order was given. I will have to check and verify our record to answer which pesticide or of which brand or company the pesticides were purchased by the accused. The purchase transaction was only upto year 2014 and 2015. It is not true to say that accused has issued blank signed cheque as a security towards transaction. I am not able and sure to tell how much payment was made by the accused till upto 2014-2015. Except invoice there is no separate agreement entered into in between complainant and accused.

On oral request of the advocate for the accused cross examination is deferred till next date.

R.O.A.C.

Date : 21.04.2025

(M. P Saraf)
Judicial Magistrate(First Class),
58th Court, Bandra, Mumbai.
J.O.Code :MH01362

CERTIFICATE

I affirm that the contents of this P.D.F. file evidence are same, word to word as per the original evidence.

Name of Stenographer : Mrs. Aditi Ravikiran Dalvi
Court : Judicial Magistrate(First Class), 58th Court, Bandra, Mumbai.
Dictated in open court on : 21.04.2025.
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