

I solemnly affirm on oath that -

My name is Sumit Gautam

Age : 38 years,

Occupation : Senior Manager, Canara Bank, Vakola Branch, Santacruz (E), Mumbai.

R/o. Thane(E), Thane.

Examination-in-Chief of CW-02 by advocate Mr. S.N.Imam for the complainant :

1. Today I am present as per witness summons. I am producing certified copy of bank account statement of Theresa Lucas Fernandes. It is certified to be true and correct as per bank record by me. it bears my signature, seal of the bank. I have also produced verified copy of General Power of Attorney authorizing me to depose on behalf of bank issued by General Manager. Now I am shown copy of said General Power of Attorney. It bears signature of our General Manager, Human Resource Wing, Canara Bank. The copy of Bank Account Statement is marked Exh.54. I have issued required certificates under section 2(A) of Bankers Book of Evidence Act and Indian Evidence Act. Both certificates bears my signature. Certificates are marked **Exh.55, 56**. I have also produced verified copy of my identity card. The same is marked **Exh.57**. Verified copy of General Power of Attorney is marked **Exh.58**.

2. Account statement shows that cheque No.000000222076 returned unpaid for the reason 'Account Closed' by the drawer of the cheque on 07.01.2017. Now I am shown cheque Exh.20. It is the same as it bears stamp of Vakola branch. Now I am shown cheque return

memo Exh.23 which was system generated. Therefore, there is no signature of Branch Manager on said cheque return memo.

Cross examination by Adv. S. K. Sharma for the accused:

3. I joined job in bank in the year 2013. I posted at Vakola branch of Canara Bank since 13.05.2025 as a Senior Manager. It is true to say that the cheque return memo issued after dishonor of the cheque was computer copy and there was no signature of Branch Manager. It is true to say that I have no personal knowledge about transaction of dishonor of cheque. It is not true to say that I am deposing false at the instance of complainant.

Cross examination is over.

No Re-examination.

R.O.A.C.

Date : 01.01.2026

(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), 58 th Court, Bandra, Mumbai.
Dictated in open court on	: 01.01.2026.
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