

IN THE COURT OF JUDICIAL MAGISTRATE(FIRST CLASS), 58TH COURT,**BANDRA, MUMBAI****STATEMENT OF ACCUSED U/SEC.313 OF CR.PC.****IN C.C.NO.1784/SS/2018****Exh.62****Name of the accused : 2) Mr.Hemant Kumar Bholaprasad Sonar,**

Age : 54 years, Occ.: Goldsmith.

R/o. Andheri(E), Mumbai.

3) Mr. Santosh Kumar Bholaprasad Sonar,

Age : 48 years, Occ.: Goldsmith.

R/o. Andheri(E), Mumbai.

Q.No.1) Have you heard & understood the evidence complainant's witness ?

Ans: Yes.

Q.No.2) It has come in evidence of CW-1 Mr. Kamlesh Parmar that he is Proprietor/authorised representative of complainant and complainant is selling of gold and silver and also deals with whole selling of Gold and Silver. What do you want to say about it?

Ans: Accused No.2: It is false.

Accused No.3: It is false. My business is separate.

Q.No.3) It has further come in his evidence that accused No.1 is engaged in similar business and you accused No.2 and 3 are authorized representative of accused No.1. What do you want to say about it?

Ans: Accused No.2: I am Proprietor and owner of accused No.1.

Accused No.3: It is false.

Q.No.4) It has further come in his evidence that as per orders placed by you, complainant firm supplied gold ornaments to you from time to time. All goods supplied were accompanied by Invoices raised on you. What do you want to say about it?

Ans: Accused No.2: It is false. I have not obtained any articles.

Accused No.3: It is false.

Q.No.5) It has further come in his evidence that towards the discharge of your liability under said invoices you issued cheque bearing No.562958 dated 09.08.2018 for Rs.7,24,176/-, drawn on State of Bank of India, Andheri(E), Mumbai issued in favour of complainant. What do you want to say about it ?

Ans : Accused No.2: I had given blank signed cheque towards deposit. I am not liable to pay cheque amount.

Accused No.3: I do not know.

Q.No.6) It has further come in his evidence that said cheque was issued by you and contents your signature. What do you want to say about it ?

Ans : Accused No.2: It is true.

Accused No.3: It is false.

Q.No.7) It has further come in his evidence that on depositing said cheque

in the complainant's bank the same was dishonored and returned unpaid with the remark 'Funds Insufficient' with memos. What do you want to say about it ?

Ans : Accused No.2: It is true. I have not purchased gold articles.
Accused No.3: I do not know.

Q.No.8) It has further come in his evidence that the complainant issued demand notice dated 24.10.2018 and called upon you to pay the cheque amount within a period of 15 days from the date of receipt of the notice. What do you want to say about it?

Ans : Accused No.2: I have received notice and it is replied.
Accused No.3: I do not know.

Q.No.9) It has further come in his evidence that you received the demand notice but failed to pay the cheque amount within a period of 15 days after receipt the notice. What do you want to say about it?

Ans : Accused No.2: It is false.
Accused No.3: It is false.

Q.No.10) Why the witness is deposing against you?

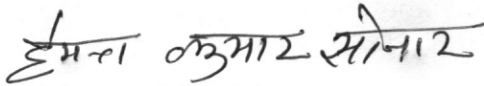
Ans : Accused No.2: Falsely deposing.
Accused No.3: I have no transaction.

Q.No.11) Do you want to examine yourself or any witness in support of your defence?

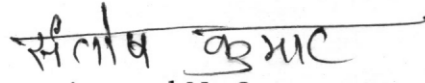
Ans : Accused No.2: No.
Accused No.3: No.

Q.No.12) Do you want to say anything about this case ?

Ans : Accused No.2: I am falsely implicated in case. Signature on the bill is not my signature.
Accused No.3: Nothing to say.

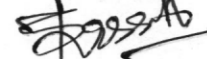


Accused No.2
(Hemant Kumar Bholaprasad Sonar)



Accused No.3
(Santosh Kumar Bholaprasad Sonar)

Before me

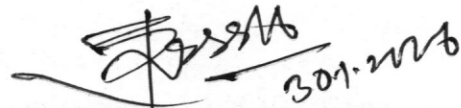


(M. P. Saraf)

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

CERTIFICATE

The contents of above said statement recorded in my presence and hearing and explained to accused in Hindi. Accused admitted it as correct.



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

Date: 30.01.2026.