

**C.C. No.1243/PS/2012**

**Exh - 05**

**Deposition of Witness No. 02 for Prosecution.**

I on solemn affirmation depose as under :

My Name : Vivek Damodar Bangera

Age : 61 years Occupation : Private Job

R/o. : 'B' Wing, 201, Nikita C.H.S., Bamandaya Pada, Marol  
Milliary Road, Marol, Andheri(E), Mumbai – 400 072.

**Exam.-in-chief by APP Mr. K. S. Jamdhade for the State:-**

1. I know the accused as he was my employee. On 15.12.2011 I was working as as partner in 'Grandale Advertising & Marketing company. There were around 12 employees in this company. We were into the business of advertising communication. Accused Suresh was working as a Manager in this company, and he was responsible for the supervision of designing work in the company studio. Mr. Sharad Mishra was my partner in the company.

2. On 15.12.2011 some people visited my company stating that they are from Copy Right Department and they started inspecting our premises, for pirated softwares. I do not recollect the exact numbers of computers installed in our company. The Copy Right Inspection team could not find anything objectionable in our premises. Those people then started demanding money from me. It is not true to say that an infringement of software Shreelipi was found in one of the computers in our premises. It is not true to say that the hard disc was seized from the computer after drawing panchnama.

(At this stage the Learned A.P.P. submitted that the witness reslied from his earlier statement. Hence, he be permitted to put the leading

questions to the witness in the nature of cross-examination. Permission is granted.)

**Cross-examination by Learned APP Shri. K. S. Jamdhade**

3. I do not remember whether police recorded my statement. My attention is now drawn to Portion mark 'A' appearing in the statement recorded under my name. It is not true to say that the police recorded the contents of portion mark 'A' as per my assertions. It is true to say that I am deposing false today as accused was my employee.

**Examination-in-chief is complete**

**Cross-examination by Learned Counsel for accused Mr. Harish Shetty.**

**Declined.**

**No re-examination**

**Witness is discharged.**

R.O.A.C

Before me,

Sd/-

**(Ms. G. D. Nirmale)**

Addl. Chief Judicial Magistrate,  
22<sup>nd</sup> Court, Andheri, Mumbai.  
Date : 29.09.2025

Sd/-

**(Ms. G. D. Nirmale)**

Addl. Chief Judicial Magistrate,  
22<sup>nd</sup> Court, Andheri, Mumbai.