

**Statement of accused No. 9 under section 313 of the Code of
Criminal Procedure, 1973**

Name of accused : Nandkishor Shankarlal Trivedi
Age : 58 Years
Occupation : Advocate
Resident of - 6 Khandbhai Desai Road, Ville Parle(W), Mumbai-56

Q.1 You are not liable to any punishment if you refuse to answer or give false answers to the questions now put to you. The answers given by you may be taken into consideration in this trial. Do you understand this ?

Ans. *Yes*

Q.2 Have you heard the evidence of prosecution?

Ans. *Yes*

Q.3 It has come in the evidence of informant P.W. 1 Baliram Parasram Rathod that, on 26/4/2002 he was working as Divisional Joint Registrar, Co-operative Societies, Latur Division, Latur. His duty was to inspect the working of, supervision and control and to inspect the record and give the guidance to the co-operative societies in four districts existing in his division. What you have to say about it?

Ans. *It is false*

Q.4 It has further come in his evidence that, on 26/4/2002 the letter was given to the Special Auditor (Bank) requesting to inspect the account of District Central Co-operative Bank, Osmanabad on certain points and to give the report as news paper and media has reported about the fraud and misappropriation of money in District Central Co-operative Bank, Osmanabad. What you have to say about it?

Ans. *It is false .*

Q.5 It has further come in his evidence that, the said letter was issued to one L.M.Pawar, Special Auditor (Bank). Accordingly, the said Pawar inspected account of the bank and submitted the report. Thereafter he submitted the report to us. What you have to say about it?

Ans. *It is false .*

Q.6 It has further come in his evidence that, in the said report it was mentioned that the bank has committed the fraud and misappropriation of the amount of Rs. 29,99,34,591/-. The said report was submitted to them on 29/4/2002. Thereafter he submitted a report (Exh. 677) to the City Police Station, Osmanabad. Report bears his signature and it's contents are true. What have you to say about it?

Ans. *It is false*

Q.7 It has further come in his evidence that, he had also submitted the inspection report with the said complaint. The said report bears the signature of Pawar and its contents are correct. What you have to say about it?

Ans. *It is false*

Q.8 It has further come in his evidence that, the Divisional Joint Registrar, Co-operative Society, Latur had given the authority letter on 8/5/2002 to him to file the complaint. The said authority letter is at Exh.678 and its contents are correct. What you have to say about it?

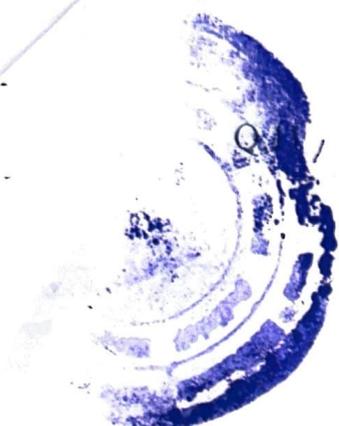
Ans. *It is false*

Q.9 It has further come in his evidence that, on 29.04.2002 he was working as Divisional Joint Registrar Co-Operative Society Latur Division at Latur. At that time he had issued letter dt. 26.04.2002 to Spl. Auditor Bank Latur Division namely Shri. L.M.Pawar for submitting Special Report on the audit report submitted by Osmanabad District Central Co-Operative Bank. What you have to say about it?

Ans. *It is false*

Q.10 It has further come in his evidence that, according to the said letter Shri. Pawar had submitted Spl. Audit Report on 29.04.2002. In the said report it was mentioned that there was misappropriation of Rs. 29 Crores in Osmanabad District Central Co-Operative Bank. The report dt. 29.04.2002 bears signature of Spl. Auditor L.M.Pawar. Mr. L.M.Pawar is dead. He recognized the signature (Exh. 945) of L.M.Pawar on the Spl.Audit Report. What you have to say about it?

Ans. *It is false*



It has come in the evidence of P.W. 2 Daji Dattu Karwar that, on 18.05.2002 police called him in the City Police Station. Another panch Chandrashekhar Chougule was with him. In the police station one More of D.C.C. Bank was present with papers. P.I. Reddy prepared the panchanama (Exh.684). Panchanama was read over to him and thereafter he signed the panchanama. The panchanama (Exh.684) bears his signature and its contents are true. What you have to say about it?

Ans. *It is fake*

Q.12 It has further come in his evidence that, Article A-1 to A-34 shown to him were produced by the More before the police. All the papers bears his signature. What you have to say about it?

Ans. *It is false*

Q.13 It has come in the evidence of P.W. 3 Dattatraya Mohanrao Bhosale that, on 28.05.2002 police called him in Tambri area near the house of Jadhav. P.I. Reddy was present there. One Jadhav was present there. Another panch Tanwade was also present there. Police prepared panchanama (Exh.691) regarding seizure of the Indica Car No. MH-25-1552. After reading its contents he signed over it. It bears his signature and its contents are correct. What you have to say about it?

Ans. *It is false*

Q.14 It has come in the evidence of P.W. 4 Kumar Baburao Ohal that, on 06/06/2002 police called him in Osmanabad City Police Station. Another panch Amar Kirdatta was with him. The employees of the bank were present in the police station. One Deshpande (deceased accused No. 2), Malvade (accused No. 3) and More (accused No. 5) on behalf of the bank were present there. One more officer was present there on behalf of the bank. What you have to say about it?

Ans. *It is fake*

Q.15 It has further come in his evidence that, police obtained signatures of above four persons on panchnamas. Thereafter they signed over the panchnamas. The signatures of the said officers were obtained on six papers.

Thereafter police prepared the panchnamas over which they signed. Four panchnamas shown to him, they bear his signatures, their contents are true. They are at Exh.694/1 to 694/4. He has not signed anywhere except panchanama. What have you to say about it?

Ans. *It is false*

Q.16 It has come in the evidence of P.W. 8 Shivaji Vinayak More that, in the year 2002 he was working as a Deputy General Manager in O.D.C.C. Bank, Osmanabad. That time there were two posts in the said bank as a Deputy General Manager. One B.N. Thorat (deceased accused No. 6) was another Deputy General Manager that time in O.D.C.C. Bank. What you have to say about it?

Ans. *It is false*

Q.17 It has further come in his evidence that, that time there were five divisions/departments namely, the Finance, Non-Agriculture, Recovery of loan, Planning & Development. He was looking after the said departments. There were 98 branches of O.D.C.C. Bank. There were four Chief Officer for four division. After passing the resolution of the Bank its copy was sent to them and he used to see about its implementation. What you have to say about it?

Ans. *It is false*

Q.18 It has further come in his evidence that, one A.J.Deshpande was the General Manager of the Bank. General Manager Deshpande used to take tipan/notes from all the division and used to put before the Meeting of the Directors. What you have to say about it?

Ans. *It is false*

Q.19 It has further come in his evidence that, in the meeting of the Directors, General Manager, two Deputy General Managers, Chief Officer of the Division, Spl. Auditor, Officers of the NABARD, District Sub-Registrar used to remain present. What you have to say about it?

Ans. *It is false*

Q.20

It has further come in his evidence that, in the meeting of the Directors index of the subject are kept on which Directors used to discuss and pass the resolution. All the resolution passed in the meeting of the Directors are sent to each department for implementation. What you have to say about it?

Ans.

It is false

Q.21

It has further come in his evidence that, on 8/2/2002 there was the meeting of the Directors in the bank. He was present in the said meeting. In the said meeting the officers from the NABARD, General Manager, Special Auditor etc. were present. The representatives of the staff were also present in the said meeting. In said meeting memo in respect of inspection conducted by the NABARD was read over. The sanction was given to the said subject in the said meeting. What you have to say about it?

Ans.

It is false

Q.22

It has further come in his evidence that, on 11/3/2002 the meeting of the Directors was held. In the said meeting he, General Manager B.N. Thorat (deceased accused No. 6), representatives of the staff were present. What you have to say about it?

Ans.

It is false

Q.23

It has further come in his evidence that, in the meeting of 11/3/2002 sanction was given to the resolution passed in meeting held on 8/2/2002. What you have to say about it?

Ans.

It is false

Q.24

It has further come in his evidence that, in the said meeting casual discussion was taken place regarding investment of 30 crores rupees of Nagpur District Central Co-operative Bank in the Securities. What you have to say about it?

Ans.

It is false

Q.25

It has further come in his evidence that, General Manager used to prepare the minutes of each meeting. In the proceeding book General Manager and Chairman used to put their signatures. In proceeding book of meeting dated 8/2/2002 no discussion was taken place except subject No.1. The proceeding dated 8/2/2002 and 11/3/2002 were

written by Chief Officer More in the Proceeding Book
What you have to say about it?

Ans.

It is false

Q.26

It has further come in his evidence that, if any bank required to purchase the securities then as per the RBI direction it is to be purchased from AGL account. It is required to take the permission of Co-operative Commissioner before purchasing the securities. What you have to say about it?

Ans.

It is false

Q.27

It has come in the evidence of P.W. 9 Hanumant Vishwambhar Bhusare that, since 08/02/1980 he was working in District Central Co-operative Bank, Osmanabad. In the year 2002 he was appointed as a Chief Officer in Audit Department of the Bank. There were 99 branches of Osmanabad District Co-operative Bank. His duty was to take the inspection of the branches of the said bank. What you have to say about it?

Ans.

It is false

Q.28

It has further come in his evidence that, there were two Deputy Chief Officer, one Clerk and one Peon were available to assist him. One Deputy Chief General Manager was his superior. After inspection of the branches if any objectionable is found then he used to brought to the notice of Deputy General Manager of the bank. What you have to say about it?

Ans.

It is false

Q.29

It has further come in his evidence that, he himself and one Vasant Shinde were the representatives of the staff. If there is any grievance of the staff or demand made by them then they used to put the same in the meeting of the directors. He used to receive agenda of the meeting of the directors. What you have to say about it?

Ans.

It is false

Q.30

It has further come in his evidence that, the Administrative Department of the Bank used to prepare the agenda of the meeting. In the meeting of the directors, all the directors,

the Chief of each department, Chief General Manager, Deputy Chief General Manager, District Registrar, District Development Officer of NABARD used to remain present. What you have to say about it?

Ans. *It is false*

Q.31 It has further come in his evidence that, on 08/02/2002 the meeting of the directors was called in respect of the inspection of the bank conducted by the NABARD. He received the agenda of the said meeting. He was present in the said meeting. What you have to say about it?

Ans. *It is false*

Q.32 It has further come in his evidence that, he signed in the register kept for that purpose in token of his attendance in the said meeting. He has produced the said register which is at Article 35. Page Nos. 193 and 194 of the said register bears his signatures showing that he was present in the said meeting. It is at Exh. 719. What you have to say about it?

Ans. *It is false*

Q.33 It has further come in his evidence that, the agenda dated 08/02/2002 bears the signature of then Chief General Manager B.N.Thorat (deceased accused No.6). He identified his signature, its contents are true. It is at Exh. 720. In the meeting dt. 8/2/2002 a discussion was taken place in respect of inspection conducted by NABARD. No other discussion was taken place in the said meeting. What you have to say about it?

Ans. *It is false*

Q.34 It has further come in his evidence that, proceeding dated 8/2/2002 bears the signature of accused Nos. 1 and 2, he identified the same, it is at Exh. 721. Out of the same the resolution No.1 is true and correct. No other resolution was taken place on that day. What you have to say about it?

Ans. *It is false*

Q.35 It has further come in his evidence that, on 11/3/2002 the meeting of the directors was taken place. He was present in the said meeting. In the meeting dated 11/3/2002 the sanction was given to the meeting dt. 5/1/2002 and

8/2/2002 and also discussion of other subject as per agenda was taken place. What you have to say about it?

Ans. *It is fake*

Q.36 It has further come in his evidence that, he received the agenda of the meeting dated 11/3/2002. The agenda of the said meeting shown to him, its contents are true, it is at Exh. 722. They can receive the deposit of co-operative societies in the said district. He don't know anything about the transaction of Home Trade. What you have to say about it?

Ans. *It is false*

Q.37 It has come in the evidence of P.W. 10 Yashwant Parshuram Giri that, in the year 2002 he was working as a District Deputy Registrar, Co-operative Society, Osmanabad. As a D.D.R. he was under duty to supervise all the co-operative societies in the district, its registration and implementation of Government policies. What you have to say about it?

Ans. *It is fake*

Q.38 It has further come in his evidence that, being a D.D.R. He was the Ex-officio Director of District Co-operative Bank, Osmanabad. He used to remain present in the meeting of the Board of the Director. He was present in the meeting of the Board of the Director on 8/2/2002. The meeting dated 8/2/2002 was held for discussion in respect of the inspection conducted by the NABARD of the said bank. What you have to say about it?

Ans. *It is fake*

Q.39 It has further come in his evidence that, in the said meeting the squad of the NABARD had given the guidance to the Board of the Director in respect of the objection in the said inspection report. In the said meeting the officers from the NABARD, Directors, Chairman and other officers were present. Thereafter the meeting was completed. What you have to say about it?

Ans. *It is fake*

Q.40 It has further come in his evidence that, again on 11/03/2002 meeting of the director was held. He was

present in the said meeting. In the said meeting there was a subject of sanction of the minute of the previous meeting and also other subject for discussion. In the meeting held on 11/3/2002 the minute of the last meeting was sanctioned. In the said meeting also some other subjects were discussed and meeting was closed. What you have to say about it?

Ans.

It is false

Q.41

It has come in the evidence of P.W. 11 Sahebrao Manikrao Patil that, in the year 2002 he was working as a Junior Clerk in Osmanabad District Central Co-operative Bank, Osmanabad. He was working in Account Department as a Junior Clerk. Liquidity, investment and application filed for the membership by Co-operative society were work allotted to him. What you have to say about it?

Ans.

It is false

Q.42

It has further come in his evidence that, accused No.3 was his superior officer. If there was any difficulty or grievance in respect of their department they used to prepare the notes and hand over to the accused No.3 for putting before the meeting of the Director. What you have to say about it?

Ans.

It is false

Q.43

It has further come in his evidence that, on 30/1/2002 as usual he came to the Bank. At about 12:00 noon accused No.3 called him and told him to prepare the list of the deposit of Rs. 50 crores which is kept in the Maharashtra State Co-operative Bank. Accordingly he prepared the list and forwarded to the accused No.3. What you have to say about it?

Ans.

It is false

Q.44

It has further come in his evidence that, Accused No.3 asked him to collect the list of the F.D., receipt of the F.D. and cheque issued for collection and accompany him to the Mumbai. Accordingly on the same day at about 3 to 4 p.m. he and accused No.3 Malvade left for Mumbai in a hired car provided by the bank. What you have to say about it?

Ans.

It is false

Q.45 It has further come in his evidence that, on next day morning they reached to the Mumbai. He and accused No.3 went to the rest house of Maharashtra State Co-operative Bank at Colaba where Chairman Pavanraje Nimbalkar (deceased accused No.1) was present. On the same day at 8 a.m. they met to Shri. Pavanraje Nimbalkar. Pavanraje Nimbalkar asked them to accompany him to Hotel Oberoi. Accordingly they went with him to Hotel Oberoi. What you have to say about it?

Ans. *It is fake*

Q.46 It has further come in his evidence that, they went in one of the room of the said hotel situated on 4th or 5th floor. Before them, three persons were waiting in the said room. The Pavanraje introduced said persons to them. Said persons came there on behalf of the Home Trade. What you have to say about it?

Ans. *It is fake*

Q.47 It has further come in his evidence that, out of three one was Subohdh Bhandari another was Thakre but he did not recollect the name of the third person. The discussion was taken place in between Pavanraje and said three persons in respect of the Government securities. Thereafter they proceeded in the office of Maharashtra State Co-operative Bank. What you have to say about it?

Ans. *It is fake*

Q.48 It has further come in his evidence that, Pavanraje thereafter asked him to verify whether the amount of Rs. 30 crores of Nagpur District Co-operative Bank is transferred in their account in Maharashtra State Co-operative Bank or not. Thereafter he went to the concerned table and verified and came to know that the said amount was not transferred in their account. Accordingly he informed to the Pavanraje Nimbalkar. What you have to say about it?

Ans. *It is fake*

Q.49 It has further come in his evidence that, thereafter the discussion was taken place about the Government securities in between the Pavanraje, the representative of Home Trade and the officers of Maharashtra State Co-operative Bank. Thereafter at evening the representative of the Home Trade went away and they came to Colaba Rest House. What you have to say about it?

Ans. *It is false*

Q.50 It has further come in his evidence that, on next day i.e. on 01.02.2002 he himself, accused No.3 and Pavanraje went to the office of Maharashtra State Co-operative Bank. That time also Pavanraje asked him to verify whether Rs. 30 crores is transferred to their account or not. What you have to say about it?

Ans. *It is false*

Q.51 It has further come in his evidence that, thereafter again he went to concerned table. He verified and found that Rs. 30 crores of Nagpur District Co-operative Bank transferred in their account kept with Maharashtra State Co-operative Bank. That time also the representative of the Home Trade were present in the bank. What you have to say about it?

Ans. *It is false*

Q.52 It has further come in his evidence that, thereafter discussion was taken place in between Pavanraje, Malvade and the representative of Home Trade regarding Government securities. What you have to say about it?

Ans. *It is false*

Q.53 It has further come in his evidence that, Thereafter Pavanraje and Malvade made telephone call to Deputy Chief Officer Tambe- accused No.4 who was present in the Osmanabad branch. They accordingly informed Tambe to transfer the said 30 crores amount in the account of Home Trade kept in Maharashtra State Co-operative Bank by telephone code. What you have to say about it?

Ans. *It is false*

Q.54 It has further come in his evidence that, the said message which was forwarded from Osmanabad District Co-operative Bank, Osmanabad was received in Maharashtra State Co-operative Bank. Accordingly the Maharashtra State Co-operative Bank has transferred the 30 crores from their account to the account of Home Trade. What you have to say about it?

Ans. *It is false*

Q.55 It has further come in his evidence that, thereafter again the discussion was taken place in between Pavanraje (deceased accused No.1) , Subodh Bhandari (accused No.8), Thakre and other one person from Home Trade and Shri. Malvade (accused No.3) about purchase of the Government securities. What you have to say about it?

Ans. *It is false*

Q.56 It has further come in his evidence that, thereafter Pavanraje and accused No.3 told him to accompany the officers of Home Trade in their office and collect the receipts. Thereafter he and accused No.3 Malvade went to the office of Home Trade at Washi. Accordingly they had given five receipts to them. The said receipts were kaccha receipts. What you have to say about it?

Ans. *It is false*

Q.57 It has further come in his evidence that, the said five receipts were pertaining to the amount of Rs. 29,99,34,591/-. They had also given him a cheque of Maharashtra State Co-operative bank of Rs. 65409/- regarding remaining amount. The said cheque and the receipts were given to them by Subodh Bhandari. Said cheque is at Exh. 736 and the said receipts are at Exh. 737/1 to 737/5. What you have to say about it?

Ans. *It is false*

Q.58 It has further come in his evidence that, on the same day at evening he and Shri. Malvade left for Osmanabad. On next day morning at about 5 a.m. they reached at Osmanabad. What have you to say about it?

Ans. *It is false*

Q.59 It has further come in his evidence that, in the office hour Pawanraje and Malvade came at the Bank. Thereafter they sent the cheque of Rs. 65409/- for collection to the Maharashtra State Co-operative Bank. The said cheque was honoured and amount was transferred in their account. What you have to say about it?

Ans. *It is false*

Q.60 It has further come in his evidence that, after two month Pawanraje demanded Rs. 29,99,34,591/- from Home Trade. On 20/4/2002 the Home Trade had given the cheque of Rs. 30,89,07,975/- to them. The said cheque was submitted to the State Co-operative Bank for collection. The said cheque was dishonored and therefore returned back. What you have to say about it?

Ans. *It is false*

Q.61 It has further come in his evidence that, on 2/5/2002 Malvade asked him to take the challan from the bank and visit the Colaba rest house where Pawanraje was present, collect the cheque from him and deposit in their account of State Co-operative Bank. Accordingly on 02/05/2002 at evening he left for Mumbai. What have you to say about it?

Ans. *It is false*

Q.62 It has further come in his evidence that, on next day morning he visited the rest house and met the Pawanraje. Accordingly he collected the cheque from him and deposited in their account in State Co-operative Bank with challan. What you have to say about it?

Ans. *It is false*

Q.63 It has further come in his evidence that, the said cheque was dishonored due to insufficiency of the funds in the account and therefore it was returned to them. When the cheque was returned to him the Pawanraje was present in the bank. Accordingly the said cheque and return memo was shown to the Pawanraje. What you have to say about it?

Ans. *It is false*

Q.64 It has further come in his evidence that, Pawanraje asked him to keep the said cheque in account department. Thereafter he came from Mumbai on 04/05/2002 and reached at Osmanabad on 05/05/2002. Accordingly he handed over the said cheque with return memo to accused No.3 Malvade. What you have to say about it?

Ans. *It is false*

Q.65 It has come in the evidence of P.W. 12 Kashinath Nivrutti Gore that, in the year 2002 he was working as a Special Government Auditor Class No.1. He was working as a Special Auditor from 03-10-1997 to 28-02-2002. Osmanabad District Co-operative Bank and Latur District Co-operative Bank were under his jurisdiction. What you have to say about it?

Ans. *It is false*

Q.66 It has further come in his evidence that, he was under duty to conduct the audit of both bank during the financial year. After conducting the audit he was under duty to brought to the notice of Board of Director and his Superior about any irregularities while conducting the audit. What you have to say about it?

Ans. *It is false*

Q.67 It has further come in his evidence that, police made inquiry to him about the fraud which was taken place in Osmanabad District Central Co-operative Bank. Before his retirement inspection of the Osmanabad District Central Co-operative Bank was conducted by the NABARD. What you have to say about it?

Ans. *It is false*

Q.68 It has further come in his evidence that, on 30/01/2002 the Osmanabad District Central Co-operative Bank by letter informed him to attend the meeting to be held on 08/02/2002. In the said meeting the subject regarding the inspection conducted by the NABARD of the bank was put up for the discussion. What you have to say about it?

Ans. *It is false*

Q.69 It has further come in his evidence that, accordingly he remained present in the meeting of the Board of Director held on 08/02/2002. He signed over the register in token of his presence in the said meeting. In the said register his signature is at Sr. No.22 regarding his presence. What you have to say about it?

Ans. *It is false*

Q.70 It has further come in his evidence that, in the said meeting a discussion was taken place in respect of the irregularities regarding the inspection conducted by the NABARD of the bank. In the said meeting only one subject was on agenda and therefore it was discussed and meeting was ended. What have you to say about it?

Ans. *It is false*

Q.71 It has come in the evidence of P.W. 13 Shivaji Ganpatrao Patil that, he was the Director in Osmanabad District Central Co-operative Bank. He was the Director of the said Bank in the year 2002. The work of the Director was to remain present in the meeting of the bank, discuss the subject kept in the meeting and to pass the resolution. What you have to say about it?

Ans. *It is false*

Q.72 It has further come in his evidence that, on 11/3/2002 the meeting of the Board of Director was called. He received the agenda of the said meeting. He was present in the said meeting. In the said meeting all the directors and staff members were present. What you have to say about it?

Ans. *It is false*

Q.73 It has further come in his evidence that, in the said meeting only the subject in respect of NABARD inspection was kept for discussion. What you have to say about it?

Ans. *It is false*

Q.74 It has further come in his evidence that, as the report of the NABARD was not received and therefore no discussion on the said subject No.1 was taken place. No other subject was discussed in the said meeting. What you have to say about it?

Ans. *It is false*

Q.75 It has come in the evidence of P.W. 14 Bhuddiwant Yashwant Ammashetti that, he was working in Osmanabad District Central Co-operative Bank. He was working there from the year 1972 to 2003. In the year 2002 he was the Chief Officer of the Bank. The Non-Agricultural Department was with him. What you have to say about it?

Ans.

It is false

Q.76

It has further come in his evidence that, one S.V. More (accused No. 5) was his superior. They used to verify all the applications filed for loan and to show the same to the General and Dy. General Manager and thereafter to put the same in the meeting of the Board of Director. What you have to say about it?

Ans.

It is false

Q.77

It has further come in his evidence that, the meeting of the board of director used to take place in every month. In the said meeting all the directors and staff members used to remain present. What you have to say about it?

Ans.

It is false

Q.78

It has further come in his evidence that, the meeting of the board of director was taken place on 05/01/2002. He was present in the said meeting. In the said meeting he had given the information about the application for loan to the directors present in the said meeting. In the said meeting discussion was taken place about the subject concerning to them and also not concerning to them. What you have to say about it?

Ans.

It is false

Q.79

It has further come in his evidence that, on 08/02/2002 also the meeting of the Board of Director was taken place. He was present in the said meeting. In the said meeting the discussion was taken place regarding subject about the inspection taken by the NABARD. After discussion of the said subject the meeting was over. What you have to say about it?

Ans.

It is false

Q.80 It has further come in his evidence that, police recorded his statement. He came to know about the deposit of 30 crores by Nagpur D.C.C Bank in O.D.C.C. by which O.D.C.C. bank purchased the securities. What you have to say about it?

Ans. *It is false*

Q.81 It has come in the evidence of P.W. 15 Suresh Manikrao Birajdar that, he was one of the Director of Osmanabad District Central Co-operative Bank since 1999. There were in all 13 Directors including the Chairman over the said Bank. What you have to say about it?

Ans. *It is false*

Q.82 It has further come in his evidence that, the work of the director was to frame the policy of the bank and also to fix the subject for meeting and discuss the same in the meeting. He received the agenda of meeting dt. 11/3/2002 and accordingly he remained present in the said meeting. What you have to say about it?

Ans. *It is false*

Q.83 It has further come in his evidence that, in the meeting dt. 11/03/2002 the subject No.1 was to read the minute of last meeting and to sanction it. However as the report of the NABARD regarding inspection of the bank was not received and therefore it was not discussed and therefore discussion was started from subject No.2. What you have to say about it?

Ans. *It is false*

Q.84 It has further come in his evidence that, there were in all 20 subject for discussion in the said meeting. Thereafter the discussion was taken place on other subject and meeting was closed. What you have to say about it?

Ans. *It is false*

Q.85 It has further come in his evidence that, police recorded his statement. From the media he came to know that the Chairman and M.D. of the bank has invested the amount in the Home Trade and committed the fraud. What you have to say about it?

Ans. *It is false*

Q.86 It has come in the evidence of P.W. 16 Chandrakant Pandharinath Bhalerao that, in the year 2002 he was working as a Junior Officer in Maharashtra State cooperative Bank, Mumbai. He was looking after the work of verifying the entries taken by ledger keeper which was taken on the basis of voucher. He was looking after the work of Nagpur, Amravati and Ahmadnager District Central Co-operative Bank. What you have to say about it?

Ans.

It is false

Q.87 It has further come in his evidence that, on 31/01/2002 the amount of Rs. 30 crore of Nagpur Central District Co-operative bank was deposited in Osmanabad District Central Co-operative Bank. He had verified the ledger and voucher entries in the account. The said voucher is at Exh.781. What you have to say about it?

Ans.

It is false

Q.88 It has further come in his evidence that, on 01/02/2002 Home Trade, Washi had issued the cheque of Rs. 29,99,99,766/- in the name of Nagpur Central District Co-operative Bank. Accordingly amount was deposited in the Nagpur District Central Co-operative Bank and entry was taken in the ledger. What you have to say about it?

Ans.

It is false

Q.89 It has further come in his evidence that, Nagpur District Central Co-operative Bank has deposited 30 crore in Osmanabad District Central Co-operative Bank and accordingly debit entry was made by Nagpur District Central Co-operative Bank. Said voucher is at Exh. 782. What you have to say about it?

Ans.

It is false

Q.90 It has further come in his evidence that, on 01/02/2002 Home Trade Washi deposited 29,99,99,766/- in Nagpur District Central Co-operative Bank and verified the ledger entry, its verified copy is filed on the record, which is at Article 'A'. What you have to say about it?

Ans.

It is false

Q.91 It has come in the evidence of P.W. 17 Sunil Digambar Patil that, on 01/02/2002 he was working as a Ledger Keeper in Head Office of Maharashtra State Co-operative Bank, Mumbai. On 01/02/2002 the amount of Rs. 30 crore of Osmanabad District Central Co-operative Bank was deposited in Home Trade. What you have to say about it?

Ans. *It is false*

Q.92 It has further come in his evidence that, he received the voucher from the voucher department. The said voucher is at Exh. 787. Accordingly he had taken the entry in the ledger. The verified copy of the ledger entry which is verified from the original shown to him, it is the same, it is at Exh.788. What you have to say about it?

Ans. *It is false*

Q.93 It has further come in his evidence that, on the same day Home Trade has deposited Rs. 29,99,99,766-67/- in Nagpur District Central Co-operative Bank vide cheque. What you have to say about it?

Ans. *It is false*

Q.94 It has further come in his evidence that, he made entry regarding deposit of Rs. 30 Crore of Osmanabad District Central Co-operative Bank in Home Trade. The said voucher is at Exh. 789. What you have to say about it?

Ans. *It is false*

Q.95 It has further come in his evidence that, on 05/02/2002 Home Trade had given the cheque of Rs. 65,409/- to deposit in Osmanabad District Central Co-operative Bank. He identified the said cheque which is at Exh.736. What you have to say about it?

Ans. *It is false*

Q.96 It has further come in his evidence that, he had taken the entry in ledger book. The ledger entry is the same as per original ledger. It is at Exh. 790. What you have to say about it?

Ans. *It is false*

Q.97 It has come in the evidence of P.W. 18 Vilas Ananda Kamble that, on 01/10/2002 he was working in Maharashtra State Co-operative Bank, Mumbai. On 01/10/2002 one Shri. S.D.Bangar, Inspector of Local Crime Branch, Osmanabad, came into the bank. He called him in the Head Office of Maharashtra State Co-operative Bank. What you have to say about it?

Ans. *It is false*

Q.98 It has further come in his evidence that, police called him in the cabin of Bhosale. At that time in his presence police inspector had taken into the custody the documents from the Bhosale. Accordingly police prepared the panchnama. Panchnama bears his signature. The contents are true. It is at Exh. 803. What you have to say about it?

Ans. *It is false*

Q.99 It has come in the evidence of P.W. 20 Arjun Pandurang Ghule that, in the year 2002 he was working as a Clerk in Account Department in Osmanabad District Central Co-operative Bank, Osmanabad. What you have to say about it?

Ans. *It is false*

Q.100 It has further come in his evidence that, Sub-Accountant Gangne was his superior. Similarly one H.K.Tambe (accused No. 4) and V.D.Malvade (accused No. 3) were the Chief Officer. What you have to say about it?

Ans. *It is false*

Q.101 It has further come in his evidence that, he used to issue the cheque on permission of the Chief Officer if the cash is called by the bank. He also used to make the payment of sanction bill. What you have to say about it?

Ans. *It is false*

Q.102 It has further come in his evidence that, on 31/01/2002 Nagpur District Central Co-operative Bank has deposited 30 crore in the account of Osmanabad District Central Co-operative Bank, Osmanabad maintained in Maharashtra State Co-operative Bank, Mumbai. What you have to say about it?

Ans. *It is false*

Q.103 It has further come in his evidence that, on 22/02/2002 Malvade had sanctioned the voucher and directed to make entry in the kird book. Accordingly he had taken the entry in the kird book. The certified copy of the extract of the kird book (Exh.810) is the same as per the original kird book brought by him. What you have to say about it?

Ans. *It is false*

Q.104 It has come in the evidence of P.W. 23 Madhukar Pralhad Kadam that, on 08.05.2002 he was working as police constable at City Police Station. At that time Shri. B.B.Reddy was working as police inspector. He was working as his assistant. What you have to say about it?

Ans. *It is false*

Q.105 It has further come in his evidence that, on 08.05.2002 Cr.No. 106/2002 was registered for the offences punishable under Sec. 406,409,420 r/w 34 of IPC. The investigation was assigned to police inspector Shri. B.B.Reddy. Police inspector B.B.Reddy is died prior to 3-4 years. What you have to say about it?

Ans. *It is false*

Q.106 It has further come in his evidence that, during investigation he had made correspondence with the Osmanabad District Central Co-Operative Bank, as per the order and instruction of police inspector Shri. Reddy. The said correspondence was in his hand writing and it bears signatures of police inspector Reddy. What you have to say about it?

Ans. *It is false*

Q.107 It has further come in his evidence that, on 20.05.2002 statement of witness Kashinath Nivrutti Gore was recorded. What you have to say about it?

Ans. *It is false*

Q.108 It has further come in his evidence that, on 18.05.2002 seizure panchanama was prepared in his hand writing in respect of documents produced on demand by the Chief Officer of District Central Co-operative Bank. The seizure panchanama (Exh.684) is in his hand writing. What you have to say about it?

Ans.

It is false

Q.109

It has further come in his evidence that, the said panchanama is in his hand writing. It bears signature of police inspector Reddy. He recognized his signature as he had worked with him. Thereafter on 01.07.2002 statement of witness Laxman Maruti Pawar was recorded. What you have to say about it?

Ans.

It is false

Q.110

It has further come in his evidence that, on 03.06.2002 the receipt of purchase of securities was seized and seizure panchanama was prepared at the office of Home Trade Ltd. at Washi New Bombay. The seizure panchanama dt. 03.06.2002 is in his hand writing. It bears signature of police inspector Reddy. He recognized his signature (Exh. 993) as he had worked with him. What you have to say about it?

Ans.

It is false

Q.111

It has further come in his evidence that, thereafter on 19.08.2002 the proceeding book of Osmanabad District Central Co-operative Bank produced by police constable Kolekar in the police station was seized. The said seizure panchanama dt. 19.08.2002 is in his hand writing. It bears signature of police inspector Reddy (Exh. 994). He recognized his signature as he had worked with him. What you have to say about it?

Ans.

It is false

Q.112

It has further come in his evidence that, on 18.08.2002 letter was issued to Maharashtra State Co-operative Bank, Mumbai calling information about the day book extract and the name of the officer who had signed it. The said letter dt. 18.08.2002 is in his hand writing. It bears signature of police inspector Reddy (Exh. 995). He recognized his signature as he had worked with him. What you have to say about it?

Ans.

It is false

Q.113

It has further come in his evidence that, in accordance with the said letter the Maharashtra State Co-operative Bank, Mumbai had providing information about the day book

extract of the bank and the name of the officer. What you have to say about it?

Ans. *It is false*

Q.114 It has further come in his evidence that, thereafter on 14.09.2002 the specimen of signatures were sent to the hand writing expert for investigation. The letter dt. 14.09.2002 is in his hand writing. It bears signature of police inspector Reddy (Exh. 996). He recognized his signature as he had worked with him. After completion of investigation Police Inspector Reddy filed charge sheet against the accused in the court. What you have to say about it?

Ans. *It is false*

Q.115 Why prosecution witnesses are deposing against you?
 Ans. *Witnesses have deposed falsely on the say of Police and Prosecution.*

Q.116 Do you want to examine yourself on oath or do you want to lead any additional evidence?

Ans. *Yes.*

Q.117 Do you want to examine any defence evidence?

Ans. *Yes*

Q.118 Do you have to state anything else about this case?
 Ans. *This is the false and wrong case. I have no concern and role in this case.*

[Signature]

Signature of accused

(*Nandkishore Shankarlal [Signature]*)

Before me

[Signature]
 (Pradnya V. Medhe)

12/11/2018
 Addl. Chief Judicial Magistrate,
 Osmanabad.

Certified that the above examination of the accused is recorded in my presence and contains a full and true account of the statement made by him.

Date:- 12.11.2018

[Signature]
 (Pradnya V. Medhe)
 Addl. Chief Judicial Magistrate,
 Osmanabad.

Xerox by
 &
 Compared by

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[Signature]
 अधिकारी

01.12.18
 मुख्य न्यायाधीशका से बंजे न्यायालय
 उरमातकर