

C.C. No. 256/PW/2023

Exh. 112

P.W. No. 9 on S.A. :

State V/s. Sanjay Agarwal and others.

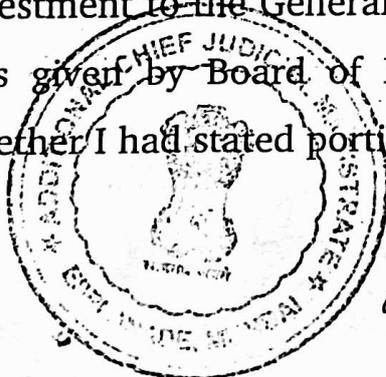
Name : Naresh Joharimal Gupta.
Age : 68 years.
Occupation : Retired.
Residing at : Pimpri Chinchwad, Pune.

Examination-in-chief by Ld. A.P.P Smt. P. S. Patil for the State :-

1. I know accused Sunil Madkikar only as he resides in my locality itself. In the year 1994, I had become Director of Shree Sadguru Jangli Maharaj Sahakari Bank. I was not member of Investment Committee. I do not have any information regarding securities. Sometimes it was been said that transaction was being going on with Home Trades Limited.

Witness is not supporting the prosecution, so Learned A.P.P. sought permission to put the leading questions to the witness. Permission granted.

2. I became director of Shree Sadguru Jangli Maharaj Sahakari Bank on 07.01.1999. Some around four committees were formed for scrutiny of documents for loan processing upto Rs.50,000/- . Committee used to scrutinize documents and used to forward those to Administration Department. Each committee was consisting of four Directors and one General Manager. Investment committee used to give oral information regarding investment to the General Body. I do not know that final sanction was given by Board of Directors only. I do not recollect that whether I had stated portion mark A in my statement to police. I



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do not know that all the decisions regarding investment were taken by Mamchand Agarwal and Umesh Inamdar as I was not member of that committee. I do not know that that in the month of February-2000 our bank had done transaction of securities with Home Trades Limited. I had not stated portion mark B in my statement to police. But I cannot assign any reason why police recorded same in my statement. I got oral information from Board of Directors that persuasion for securities was going on with Home Trades Limited. I do not recollect whether I had stated to portion mark C in my statement to police. I do not recollect whether Home Trades Limited defrauded Bank for amount of Rs. 36.25 Crores. It is not true to say that today I am deposing false to save the accused.

Cross-examination by Advocate ~~Denzak Mane~~ for accused No.1

3. Declined.

Cross-examination by advocate Mr. Nitish Wani for accused No.2

4. Declined.

Cross-examination by Adv. Mrs. Poonam Ankeshwari for accused No.3.

5. Declined.



Cross-examination by Adv. Mr. Prakash Salshingikar for accused No. 4 to 7 and 10.

6. During my tenure as Director, Directors on different committees were being changed from time to time. I used to go through balance-sheet of bank roughly as Director. I used to see internal audit report also. Prior to lodging of report in this matter, I had not come across any irregularity in Internal Audit Report. I had not seen in Books of Accounts that bank had suffered any loss prior to complaint in this case. RBI audit was also cleared till the filing of report. I do not recollect whether I had stated to police in my statement that I used to get oral information from Directors. Till the year 2000, Directors used to see how the bank will in profit.

Cross-examination by Advocate Rohan Samant for accused No.11.

7. As per By-laws 40 of Bank power of CEO were limited. CEO was not having any power to take policy decision.

Cross-examination by accused No.14 in person.

8. Declined.

Re-examination- Nil.

Date :04.07.2024



R. O. & A. C.

(S.P. Shinde)

Addl. C. J. M., 47th Court,
Esplanade, Mumbai.

True Copy
Judicial Clerk, 21/07/24
Additional Chief Judicial Magistrate's,
47th Court, Esplanade, Mumbai.