

P.W. No. 12 on S.A. :

Name : Shobha Shankar Killedar.
Age : 74 years.
Occupation : House maker.
Residing at : Telco Society No.9, Sector No. 24, Nigadi
Pradhikaran, 44, Nigadi, Pune.

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

1. In the year 1995, I was on the post of Sanchalak in the Sadguru Jangli Maharaj Sahakari Bank Pune. I know all the accused. Some accused were the Board of Directors of the bank and some accused were M.D. Aphale, Madkikar, Mamanchand Agarwal, Ashok Kulkarni, Jayashree Udas were the Sanchalak of the bank. Home Trade company cheated the bank.

Court question: What was the relation of accused with Home Trade company?

Answer: I do not know.

Home Trade company was to pay the amount to us. The amount of Rs.36 crores was due against that company.

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

2. It is true to say that I was the member of Sadguru Jangli Maharaj Sahakari Bank Pune since 1983. It is true to say that my husband and myself were doing the work of Rashtriya Syawamsevak Sangh since 1980. It is true to say that my husband and I myself were become the directors of board of Sadguru Jangli Maharaj Sahakari Bank Pune in the year 1993. It is true to say that since year 1997 to 1998 I was the Upadhyaksha of that bank. It is true to say that there was one investors sub-committee in our

bank. It is true to say that since 04.10.1999 to 03.10.2001 Umesh Inamdar was working in our bank as M.D. (सरव्यवस्थापक). It is true to say that Prakash Aphale, Sunil Madkikar, Ashok Kulkarni, Umesh Inamdar, Mamanchand Agarwal were looking after work of that investor sub-committee of our bank. It is true to say that in the resolution bearing No. 3A dated 29.10.1999 as per the rules of bank 36(ix) the power to sign to sell and purchase Government Securities, industrial finance securities, Nabard's securities and to transfer the same and to execute the indemnity bond and to issue declaration on behalf of bank about that securities were given to Mamanchand Agarwal and Umesh Inamdar and I was present at the time of that resolution. It is true to say that notification about the investment of RBI securities were received by the bank. It is true to say that in the month of October-2001 Mr. Borgikar was joined as a Executive Director of the bank. It is true to say that after joining in the meeting of Board of Director Shri. Borgikar revealed that bank invested Rs.65 Crores with Home Trade Limited company but the securities are not with the bank. It is true to say that thereafter directors made communication with the Home Trade Limited company about that Rs.65 Crores. It is true to say that but the Home Trade Limited company returned Security bond (सेखे) of Rs. 28.75 Crores and never returned the remaining amount of security bonds of Rs.36.25 Crores. It is true to say that till today bank never received the remaining security bonds (सेखे) and accused cheated the bank. It is true to say that if accused shown to me I can identify them.

Recha, Shri
07.01.2024
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Cross examination on behalf accused Nos.1 to 3. :-

3. Declined.

Cross examination on behalf accused Nos.4 to 7 and 10 by

Advocate Salsingekar. :-

4. It is true to say that I do not know who were and are the directors of Home Trade company. It is true to say that I personally never participated in any transaction of security bonds of that bank. It is true to say that bank used to maintain the register about the security bonds received by the bank. It is true to say that I myself never at any time checked that register. It is true to say that I personally not aware about the fact that how many bonds were received by the bank from Home Trade company and transactions of how many bonds were took place. It is true to say that I carefully read all the audits of the bank which were took place during that period. It is true to say that prior to registration of FIR of this matter I myself personally read the audit report by RBI and internal audit report. It is true to say that no where in any audit report I read prior to registration of this FIR that any employee or any director of the bank committed any offence.

5. It is true to say that prior to registration of FIR of this matter all the directors of bank were taking efforts to recover the amount of bank from debtors. It is true to say that due to efforts by directors the bank received security bond of Rs.28.75Crores form Home Trade Limited company. It is true to say that as per my experience being a Upadhyaksha and Director, I can say that if the offence were not registered then the remaining amount might be recover. It is true to say that police did not read over me my

statement. It is true to say that at the time of recording my statement I did not levelled any allegation against any employee or any director of bank. It is true to say that I only stated to the police that amount of the bank yet to be recovered, I never levelled any allegation against any one. It is true to say that during that period who was working in which committee and doing which work I am not aware about the same. It is not true to say that I answered in cross-examination by APP after perusing the file in her hand. It is true to say that I am unable to say the dates and amount which I deposed during the cross-examination by learned APP. It is true to say that I was having hearsay information about the transaction between bank and Home Trade Limited.

Cross -Examination for accused No.11 by Rohan Samant.

6. (Learned advocate of accused Shri. Samant brought to the notice of the court that the resolution is 33 not 33A (3A) and learned APP also affirmed the same). Now copy of one resolution shown to me which does not bear the signature of any one or seal of any bank or any authority. It is true to say that as per resolution Umesh Inamdar was having power to sign on it.

Cross-examination for accused No.14 in person

7. Declined.

Re-examination-Nil.

R. O. & A. C.

Richa. Thakur

(Smt. R.B. Thakur)

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

Date :07.01.2024