

IN THE HON'BLE COURT OF Ms Z,
LD. MM, _____ COURTS, DELHI
IN
C.C No. _____/____

IN THE MATTER OF:

XAPPLICANT/ COMPLAINANT

VERSUS

YACCUSED/RESPONDENT(S)

N.D.O.H:

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Filed By:
Filed On:
Filed At:

APPLICANT/COMPLAINANT

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IN THE HON'BLE COURT OF Ms Z,
LD. MM, _____COURTS, DELHI
IN
C.C No. ____ /20__

IN THE MATTER OF:

XAPPLICANT/COMPLAINANT

VERSUS

YRESPONDENT/ACCUSED

N.D.O.H_____

**APPLICATION ON BEHALF OF COMPLAINANT U/s 91 of CrPC, 1973 TO
PRODUCE DOCUMENTS FROM THE ACCUSED PERSONS.**

MOST RESPECTFULLY SHOWETH:

1. That the applicant is the complainant in the above mentioned Criminal Complaint pending adjudication before this Hon'ble Court.
2. That the said Criminal Complaint has been filed by the Complainant/Applicant U/s 138 of the NI Act against the accused in lieu of dishonor of Cheque no. _____ dated _____ drawn on _____ Bank, _____ Branch for the Sum of Rupees _____ (INR ___/-) Only towards the liability arising out of the settlement of dispute between the Complainant and the Accused persons .
3. That the documents sought to be produced are essential and necessary to decide the dispute in the present case.
4. That the applicant/complainant requested on various occasion for the production of documents through e-mails and phone calls but the accused persons failed to provide the same.
5. That the accused persons have made false claim in their preliminary objection(s), examination-in-chief and or cross-examination and if not proven wrong it could put the complainant in a disadvantageous position in this case.
6. That the documents so sought to be produced are as follows:

S.NO.	DESCRIPTION OF DOCUMENT(S) SOUGHT TO BE PRODUCED	REASON
1.	Records of account receivables of the firm BMS and DSC.	To show that the firm(s) were profit making

2.	List of websites of the firm(s) _____ which are being used by the accused persons as on date today.	Accused Person(s) are doing business vide asset(s) of the firms.
3.	List of Bank Accounts opened by the accused No.1 and accused No.2 after the dispute along with the statements of accounts of all the bank accounts.	Accused Person(s) received money due to the firm(s) from the Builder(s) after the dispute in their personal Bank Account(s).
4.	Copy of Documents submitted for the purpose of opening the various Bank Account(s) after the dispute	The firm(s) have not been dissolved yet and the accused persons opened various bank account(s) in the name of the firms.
5.	List of total bookings done in firms ___ and ___ respectively.	Firm(s) were in profit and the accused persons have falsely deposed before this Hon'ble Court.
6.	ITR Form along with the Acknowledgement from 2013-2019 which indicates the source of income of accused persons.	To show that the substantial income of the accused persons is attributed to the firm(s)
7.	Copy of all the bills raised by the firms _____ respectively.	The revenue generated by the firms and the firms were in profit.
8.	Passport of the Accused Persons.	To show that the trip to Thailand by the accused persons was sponsored by one of the builders namely ___ in order to falsify the claim of the accused persons that they were not doing business with ___ and also to prove that the firms were doing well.
9.	Copy of Expense Sheet before the dispute	Complainant was denied access to the expense sheet after the dispute.
10.	Copy of Service Tax Receipt paid by the firm(s).	Accused persons have evaded this question in Cross Examination
11.	Copy of supporting document(s) for the purpose of audit by the auditor	Audit Report is forged and fabricated document
12.	List of Virtual and or Mobile Numbers purchased by the firm(s) before the dispute and the List of Virtual and or Mobile Numbers being presently used by the accused persons.	Complainant was not given any Virtual and or Mobile Number after the dispute.
13.	Cash Voucher(s) and or receipt(s) of the firm(s) for the purpose of making payment(s) to employees, expenses, business expansion, advertisement, travel and other miscellaneous expenses.	Expenses have been inflated in order to show that the firms were in loss.
14.	List of Employees working in the firms before the dispute.	Accused persons have evaded this question in Cross-

	Examination.
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7. That the applicant/Complainant seeks the leave of this Hon'ble Court for the production of the aforesaid documents from the relevant persons.
8. That it is submitted that the present application is bonafide and has been filed in the interest of justice.
9. That the present application will save the valuable time of this Hon'ble Court.

PRAYER

It is, therefore most respectfully prayed that this Hon'ble Court may kindly be pleased to pass an order, thereby;

- a) Allowing the present application of the Applicant/Complainant;
- b) Pass an order directing the accused persons to produce the aforesaid documents;
- c) Pass any other order/direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE HUMBLE APPLICANT/COMPLAINANT AS IN DUTY BOUND SHALL EVER PRAY.

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YRESPONDENT/ACCUSED

AFFIDAVIT

I, X, aged __ years, S/o _____, R/o _____, do hereby solemnly affirm and declare as under:

1. I am the Complainant in the above captioned Criminal Case and well conversant with the facts and circumstances of the case and is competent to depose the present affidavit.
2. I say that the accompanying application for production of documents has been drafted by my counsel on my instructions, contents whereof are true and correct to my knowledge and the same may kindly be read as part and parcel of present Affidavit which for the purposes of brevity are not being reproduced herein.

DEPONENT

VERIFICATION:

Verified at New Delhi on this __ day of Month 20_ , that the contents of the above affidavit are true to my knowledge, nothing is false and nothing material has been concealed therefrom.

DEPONENT