

Precedent No. 71

**AFFIDAVIT: UNDER SECTION 438 OF THE CODE OF CRIMINAL PROCEDURE,
1973**

BEFORE THE COURT OF SESSIONS JUDGE,

In

Criminal Complaint No.....of 20

IN THE MATTER OF

A.B

.....APPLICANT

VERSUS

B.C

....DEFENDANT

AFFIDAVIT

I, S/o, agedyears, presently
and permanently residing in

The deponent abovenamed hereby solemnly affirms and states as follows:

1. That the deponent is the applicant herein and the accused in the Criminal Complaint referred to above. The deponent is well conversant with the facts and circumstances of the present case and competent to swear to this affidavit.
2. That the deponent is a young man of 26 years. He is the Managing Director of one of the leading Multi-national Companies.
3. That the deponent is a very respectable person of his locality and is a peace loving citizen.
4. That on, the applicant got married to the
....., D/o, now residing in
5. That the relations between the deponent and the complainant were not cordial because of the latter's extra-marital affair with the complainant, who has been working with the Police.
6. That the deponent objected to such affair of his wife and did not permit her to go out of the house.

7. That nursing a grudge against the aforesaid natural response of the deponent and taking undue advantage of his office, the complainant got the abovementioned complaint registered against the deponent onat.....
8. That the said complaint registered against the deponent is absolutely false and incorrect. The deponent is not at all involved in the offence alleged in the complaint.
9. That as a matter of fact, the deponent is a victim at the hands of the complainant, who has conspired with the Police and got the complaint registered.
10. That the said complaint is absolutely fictitious and pregnant with malice.
11. That in view of the abovementioned circumstances, the deponent apprehends that he may be arrested in pursuance of the aforesaid fictitious complaint.
12. That the arrest of the deponent by the Police will cause irreparable loss and injury to the impeccable reputation of the deponent and will also adversely affect his service.
13. That the deponent is a permanent resident of, and there is no chance of his absconding in case he is granted bail. That the deponent is not a previous convict and has never been involved in any criminal case before.
14. That the deponent undertakes to abide by any of the conditions that this Hon'ble Court may deem fit for admitting the deponent to bail. That the deponent is ready to produce surety to the satisfaction of this Hon'ble Court.

SdJ

Deponent.

VERIFICATION

Verified at on this the day of, 20, that the contents of the above affidavit are true and correct to the best of my knowledge, belief and information and nothing material has been concealed therefrom.

SdJ

Deponent.

Solemnly affirmed and signed before me by the deponent, who is personally known to me, on this the day of, 20

SdJ

Counsel for the deponent.

Note: Affidavit to be attested by the appropriate authority prescribed under law.

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