

PW- 1 is recalled and duly sworn on:12-03-2020.

Cross – examination by Sri. G.K.V Adv for the accused.

6. The Managing Director of complainant is Kabilnandha. I do not know the names of all directors of complainant. I do not know as to how many directors are there in complainant. One of the director named as Adithya Chandok signed on the resolution marked as Ex.P-1(a). For the suggestion as to whether you can produced the discussion held in the Board meeting to appoint you as the person to file the complaint, witness says that he has to look into the records and if available than only it will be produced.
7. I do not know where the accused was working before joining the complainant. I am not able to recollect the date of joining accused to the company. Accused was joined as Asst., Practice Manager. I know the contents of the complaint. It is true that Naveen Arigapudi, Nidhi Arora and Neeraj Mehra were working in the company.

From the records I came to know that accused filed the complaint against the persons stated above. It is true that in this regard enquiry was conducted. It is not true to suggest that without issuing the prior notice of 90 days and not following other procedures, accused was terminated.

8. It is true that full and final settlement was not done. Witness says that as per the company policy before settling the account the terminated employee has to hand over all the assets of the company and get the clearance certificate. I do not know the amount due from the company to the accused. It is true that company has not issued the reliving letter so far. Witness says that for non submission of company assets and for want of clearance certificate the reliving letter is not issued. It is true that accused filed the sexual harassment complaint against Naveen Arigapudi. For the suggestion that complaint has

not taken any action, witness answered that as per the report submitted by the commission action was taken.

9. For the suggestion that in the laptop which is with the accused Data pertaining to the sexual harassment complaint is existing, witness answered that some Data's are in the laptop. It is true that after termination of the accused the company locked the laptop which is in the possession of accused. It is true that because of the locking of the laptop it is not possible for the accused to use that laptop. It is not true to suggest that the evidence relating to the sexual harassments are stored in the laptop.
10. I have gone through the reply marked as Ex.P-10 sent by the accused. The complainant has not sent the rejoinder to the notice marked as Ex.P-10. From the records I came to know that accused filed a complaint before the Police alleging the sexual harassment. I am not aware of the complaint filed before the 1st ACMM

court and reference of that complaint to the Cyber Crime Unit for investigation. I am not aware of the filing of the complaint before the 31st ACMM and reference of that complaint to the jurisdictional police for investigation. It is not true to suggest that after filing of the complaints stated above as a counter blast this complaint is filed.

11. It is not true to suggest that if the laptop is given to the complainant there is every chance of destroying the evidence relating to the sexual harassment, hence the laptop is not handed over. It is not true to suggest that the intention of the complainant is trying to destroy the evidence stored in the laptop. It is not true to suggest that the laptop is locked, hence it is not required for the company and in spite of that to harass the accused false complaint is filed. For the suggestion that has the laptop was locked it is not possible for the accused to get access to the Data of the company in the laptop, witness answered that generally it is not possible but, by taking

the help of IT Professionals through hacking it is possible to get access to the confidential Data. It is not true to suggest that there is not such possibility. It is true that in case of hacking complainant can take the legal action. It is not true to suggest that for justifiable reason accused is holding the laptop. It is not true to suggest that I do not know the facts of the case and without authority I filed the complaint on the say of one director. It is not true to suggest that I have not the authorized by the company to file the complaint.

Re-examination: Nil.

(Typed to my dictation in open court)

ROI & AC

PRESIDING OFFICER