

I.A./G.A. (COM) NO. 1 OF 2025
C.S. (COM) NO. 141 OF 2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

Quick Advisory Services Private Limited & Anr.

.... Plaintiffs/Petitioners

-Versus-

Dr. Earth AI Technology Private Limited (formerly known as
Sreemudranalaya Technology Pvt. Ltd.), & Anr.

....Respondents

Affidavit in Opposition affirmed by Asit Roy
on this the day of November, 2025.

VOLUME - II
Pages : 123-258

AFREEN BEGUM
Advocate
7, Old Post Office Street,
1st Floor, Room No.15 (Mezzanine)
Kolkata – 700 001
Mobile No.906203123
Enrolment No.F/234/74/2020
Email : adv.afreenbegum@gmail.com

Annexure - "I"

- 123 -



प्रारूप : आई.आर.
Form: I.R

निगमन का प्रमाण पत्र
Certificate of Incorporation

तारीख 20 पौष 1927 शक को
Cin No: U72200WB2006PTC107203

सिन संख्या: यू 72200 प.ब.2006पीटीसी 107203
of date January 10, 2006

मैं एतद्वारा प्रमाणित करता हूँ कि आज SREE MUDRANALAYA TECHNOLOGY PRIVATE LIMITED कम्पनी अधिनियम 1956 (1956 का सं० 1) के अधीन निगमित की गई है और वह परिसीमित है।

I hereby Certify that SREE MUDRANALAYA TECHNOLOGY PRIVATE LIMITED is this day incorporated under the Companies Act, 1956 (1 of 1956) and that the Company is limited.

मेरे हस्ताक्षर के साथ कोलकाता में तारीख 20 पौष 1927 शक संवत् को दिया गया।

Given under my hand at Kolkata this 10th day of January two thousand Six.



(डी. बन्दोपाध्याय)
(D. Bandopadhyay)

उप कंपनी रजिस्ट्रार, पश्चिम बंगाल
Dy. Registrar of Companies, West Bengal

HIGH COURT, ORIGINAL SIDE

18 NOV 2006

CALCUTTA

I
the Pleading / Affidavit
Affirmed by A. Roy
On the 18 Day of NOV
20 25

Before me

Annexure. J
 to the Pleading / Affidavit
 Affirmed by H. Roy
 On the 18 Day of Nov
 20 25

Before me

Commissioner

Annexure - "J"
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WEBEL TECHNOLOGY LIMITED
 A GOVERNMENT OF WEST BENGAL UNDERTAKING
 BLOCK BP-5, SECTOR V, SALT LAKE, KOLKATA 700 091

NAME & ADDRESS OF THE VENDOR: M/S. SREEMUDRANALAYA TECHNOLOGY PVT. LTD., 12, BINODE SAHA LANE, KOLKATA - 700 006.		PURCHASE ORDER PO NO. WTL/PO/NS/211/053/053 DATE: 16.12.2006 OEN NO. 211 12.12.2006 REF. DATE:-			
YOUR QUOTATION REF: IGR/WTL/04/2006-07		DATE: 05.09.2006			
KINDLY ARRANGE TO SUPPLY & INSTALL THE FOLLOWING ITEMS AS PER TERMS & CONDITION SPECIFIED HEREIN					
SI no.	ITEM DESCRIPTION	UNIT	QTY	RATE(RS)	VALUE(RS)
1.	Per transaction Charge (up to 15 pages)	Copies	At actual	94.51	At actual
2	Per page transaction charge (only applicable beyond 15 pages)	Copies	At actual	2.15	At actual
3.	Charges for transaction beyond stipulated no.	Copies	At actual	89.10	At actual
4.	Per page transaction charge (only applicable beyond 15 pages)	Copies	At actual	2.15	At actual
SERVICE TAX EXTRA @12.24%					
AT ACTUAL.					
DELIVERY SCHEDULE: IMMEDIATE		WARRANTY		PRICE BASIS: AS ABOVE	
DELIVERY AT OUR CUSTOMERS LOCATION :		OUR CUSTOMER'S CONTACT PERSON WITH DESIGNATION:		CHECK & SIGN/ INDENTOR Ashish Ghosh	
OUR CUSTOMERS NAME & ADDRESS: GOVERNMENT OF WEST BENGAL, DIRECTORATE OF REGISTRATION & STAMP REVENUE, E-BLOCK, TOP FLOOR, WRITERS' BUILDINGS, KOLKATA - 700 001.		INSURANCE		WEBEL TECHNOLOGY LIMITED AUTHORISED SIGNATORY	
FREIGHT:		INSURANCE		WEBEL TECHNOLOGY LIMITED AUTHORISED SIGNATORY	
INSPECTION CLAUSE (WHICHEVER IS APPLICABLE)		1. Supplier has to submit/ need not submit supplier's/ manufacturer's internal test report for the items to QA Department, before dispatch and obtain Despatch clearance. 2. Supplier to give inspection call to QA Department along with manufacturer's internal test report they are supplying before 10 days of scheduled dispatch date. 3. Materials to be dispatched only under challan of WTL to Customer		WEBEL TECHNOLOGY LIMITED AUTHORISED SIGNATORY	
PAYMENT TERMS &		A) Back to back i.e. payment will be made by us, only on receipt of payment from our relevant customer TERMS & CONDITIONS OF THE W.O. IS BACK TO BACK OUR AGREEMENT WITH THE END CUSTOMER DT.08.12.2006.		WEBEL TECHNOLOGY LIMITED AUTHORISED SIGNATORY	
OTHER TERM		You are to submit RECEIPTED Challan, Invoice and installation/ job completion Certificate in WTL's name DULY SIGNED AND STAMPED by our customer after successful completion of installation.		WEBEL TECHNOLOGY LIMITED AUTHORISED SIGNATORY	
PURCHASE ORDER REFERENCE TO BY STATED ON ALL(A) PACKING AND (B) COMMUNICATIONS AFTER ACCEPTANCE OF THE P.O. SUBJECT TO QUALITY APPROVAL					
ALL DISPUTES ARE SUBJECT TO KOLKATA JURISDICTION ONLY					
REGISTERED OFFICE: "WEBEL BHAVAN" BLOCK EP & GP, SECTOR V, SALT LAKE KOLKATA-700 091					
Please sign below indicating your acceptance of the order					
PLEASE SUBMIT AN EXTRA COPY OF TAX INVOICE.					

HIGH COURT, ORIGINAL SIDE

18 NOV 2006

CALCUTTA

Annexure - "K"
- 125 -

WEBEL TECHNOLOGY LIMITED
(A GOVERNMENT OF WEST BENGAL UNDERTAKING)
BLOCK BP-5, SECTOR-V SALT LAKE, KOLKATA 700091

CST No.19673397217, Service Tax R/c No.AAACW4201GST001 Dt.23.06.06, W.B.VAT(TIN)Regn.No.19673397023, PAN-AAACW4201G, CIN U72200WB2001SGC092897, TAN: CALW02400G

Work Order

FRM/PUR: PO/WO/04 Rev. 1.0

Sree Mudranalaya Technology Pvt. Ltd. 12, Binod Saha Lane, Kolkata - 700006, West Bengal		ORDER NO		WTL/WO/W2/15-16/0312/0148	
		ORDER DATE		18/03/2016	
		OUR Ref./OEN No.		WTL/OE/B1/0312/15-16	
		Ref. / OEN Date		03/03/2016	
Your Quotation Reference: As per minutes of the meeting.		DATE		16/03/2016	
KINDLY ARRANGE TO PROVIDE THE FOLLOWING SERVICE AS PER TERMS AND CONDITIONS SPECIFIED HEREIN					
SL. No.	ITEM DESCRIPTION	UNIT	QTY	RATE (Rs.)	VALUE (Rs.)
Project: Implementation of e-Nathikaran System of Registration in PRESIDENCY ZONE in PPP module under Project "Computerization and e-Governance of Registration Offices in West Bengal under e-Nathikaran System of Registration"					
1	Per Transaction Charge (Upto 17 Pages)	Per Transaction	At Actual	153.50	At Actual
2	Per Transaction Charge (only applicable beyond 17 Pages)	Per Page	At Actual	3.20	At Actual
Sub Total :				At Actual	
Service Tax - 14.00 % On 100.00% of Base Value, On item no. (1,2)				At Actual	At Actual
Swachh Bharat Cess - 0.50 % On 100.00% of Base Value, On item no. (1,2)				At Actual	At Actual
TOTAL				At Actual	
DELIVERY/SERVICE SCHEDULE			Continue for Five (5) years from 01-04-2016.		
DELIVERY AT CUSTOMER'S Location : Total 47 (Forty Seven) Sites as per list attached.			WARRANTY NIL		
DELIVERY AT CUSTOMER'S Location : Total 47 (Forty Seven) Sites as per list attached.			PRICE BASIS : As Above		
Our Customer's Name & Address : DIRECTORATE OF REGISTRATION AND STAMP REVENUE, Govt. of West Bengal FORTUNA TOWER (9th Floor), 23A, N.S. Road,, Kolkata - 700001, West Bengal			Our Customer's Contact Person with Designation :		
FREIGHT: FREE			INSURANCE : FREE		
PAYMENT TERMS		1. Back to back, i.e. , payment will be made by WTL only on receipt of payment from our relevant customer.			
OTHER TERMS		1. You are to submit receipted Challan, Order Copy, Invoice and installation / job completion Certificate in WTL's name duly signed and stamped by our customer after successful completion of installation. 2. Work Order reference to be stated in all the related documents. 3. All Disputes are subject to Kolkata Jurisdiction only. 4. All statutes like EPF and ESI etc. upto date certificates / Challans will be submitted half yearly on regular basis. 5. Minimum wages should be followed for computer operators as per labour dept., Govt. of West Bengal. 6. Service Agreement between IGR & CSR, Govt. of West Bengal and Webel Technology Limited should be followed & maintained by Service provider. 7. Re-imbursement of statutory liabilities such as VAT, CST, Service Tax etc. to be made upon production of payment challans / proof of payments.			
Annexure - "K" the Pleading / Affidavit Affirmed by.. <i>A. Roy</i> In the.....by..... On the 18th Day of Nov 2015		Before me Comm. HIGH COURT, ORIGINAL SIDE			

Registered Office: "WEBEL BHAVAN". Block - EP & GP, Sector - V, Salt Lake, Kolkata - 700091

Page 1 of 2

18 NOV 2015

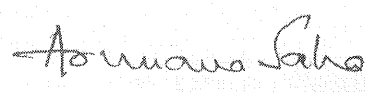
- 126-

WEBEL TECHNOLOGY LIMITED
(A GOVERNMENT OF WEST BENGAL UNDERTAKING)
BLOCK BP-5, SECTOR-V SALT LAKE, KOLKATA 700091

CST No.19673397217, Service Tax R/c No.AAACW4201GST001 Dt.23.06.06, W.B.VAT(TIN)Regn.No.19673397023, PAN-AAACW4201G, CIN
U72200WB2001SGC092897, TAN: CALW02400G

Work Order

FRM/PUR: PO/WO/04 Rev. 1.0

Sree Mudranalaya Technology Pvt. Ltd. 12, Binod Saha Lane, Kolkata - 700006, West Bengal		ORDER NO	WTL/WO/W2/15-16/0312/0148
		ORDER DATE	18/03/2016
		OUR Ref./OEN No.	WTL/OE/B1/0312/15-16
		Ref. / OEN Date	03/03/2016
Accepted by Vendor	Checked & Signed By Indentor 	Prepared By 	WEBEL TECHNOLOGY LIMITED  AUTHORISED SIGNATORY

IGR PPPM SITES FOR SREEMUDRANALAYA TECHNOLOGY PVT LTD

Sl. No.	ADSR/DSR	Cat
1	Chakdah	B
2	Haringhata	C
3	Santipur	B
4	Ranaghat-II	B
5	Palashipara	B
6	Ranihati	B
7	Uluberia	B
8	Shyampur	B
9	Bagnan	B
10	Bargachia	B
11	Amta	C
12	Pancharul	C
13	Domjur	B
14	ADSR Howrah	A
15	DSR Howrah	A
16	Chapra	B
17	Hanskhali	B
18	Bethuadahari	A
19	Karimpur	A
20	krishnanagar	A
21	Bidhannagar	A
22	Barrackpore	A
23	Kadambagachi	C
24	Habra	B
25	Basirhat	B
26	Hasnabad	B
27	Baduria	C
28	Hathatganj	C
29	Behala	A
30	Sonarpur	A
31	Budge Budge	C
32	Baruipur	A
33	Bhangar	B
34	Amdanga	C
35	Guma	C

Sl. No.	ADSR/DSR	Cat
36	Bongaon	B
37	DSR Nadia	A
38	Nabadwip	C
39	Bishnupur	B
40	Deganga	B
41	Mathurapur	B
42	Gateshwara	B
43	Rajarhat	A
44	Sodepur	B
45	Krishnaganj	C
46	Goria	B
47	Debagram	B

Amranda Saha.

FORM 32

[Pursuant to sections 303(2), 264(2) or 266(1)(a) and 266(1)(b)(iii) of the Companies Act, 1956]

Particulars of appointment of Managing Director, directors, manager and secretary and the changes among them or consent of candidate to act as a Managing Director or director or manager or secretary of a company and/ or undertaking to take and pay for qualification shares

Note - All fields marked in * are to be mandatorily filled.

1. This form is for ☐ New company ☒ Existing company

2.(a) *Corporate identity number (CIN) of company or Form 1A reference number U22210WB2006PTC107203

(b) Global location number (GLN) of company

Pre-fill

3.(a) Name of the company SREE MUDRANALAYA TECHNOLOGY PVT LTD

(b) Address of the registered office of the company

12, BINOD SAHA LANE,
KOLKATA
West Bengal
INDIA
700006

4. Number of Managing Director, director(s) for which the form is being filed

2

5. Details of the Managing Director, directors of the company

I. Details of the Managing Director or director of the company

Director identification number (DIN)

02195047

Pre-fill

Name

ANITA ROY

Father's name

KAMALESH CHANDRA ROY

Present residential address

44 CHARU CHANDRA AVENUE
TOLLYGANGE, 1 CHARU MARKET
KOLKATA
West Bengal
India 700033

Nationality

IN

Date of birth

01/01/1963

☒ Appointment ☐ Cessation ☐ Change in designation

Designation

Director

Date of appointment or change in designation

31/07/2007

(DD/MM/YYYY)

Category

Promoter

Whether chairman, executive director, non-executive director

☐ Chairman ☐ Executive director ☒ Non-executive director

DIN of the director to whom the appointee is alternate

Pre-fill

Name of the director to whom the appointee is alternate

Name of the company or institution whose nominee the appointee is

e-mail ID

PART - II

Hereby confirmed that the above mentioned ☐ Director ☐ Managing Director is not associated with the company

with effect from

(DD/MM/YYYY) due to

CALCUTTA

II. Details of the Managing Director or director of the company

Director identification number (DIN) 01675950

Pre-fill

Name DEB KUMAR SINHA

Father's name SUDHIR KUMAR SINHA

Present residential address 34/2A, PRAMATHESH BARUA SARANI
BALLYGUNGE
KOLKATA
West Bengal
India 700019

Nationality

IN

Date of birth

12/05/1945

☐ Appointment ☒ Cessation ☐ Change in designation

Designation Director

Date of appointment or
change in designation

(DD/MM/YYYY)

Category

Whether chairman, executive director, non-executive director

☐ Chairman ☐ Executive director ☐ Non-executive director

DIN of the director to whom the appointee is alternate

Pre-fill

Name of the director to whom the
appointee is alternate

Name of the company or institution
whose nominee the appointee is

e-mail ID

PART - II

Hereby confirmed that the above mentioned ☒ Director ☐ Managing Director is not associated with the company

with effect from 01/08/2007 (DD/MM/YYYY) due to Resignation

6. Number of manager(s), secretary(s) for which the form is being filed

7. Details of the manager or secretary of the company

I. Details of the manager or secretary of the company

Income-tax permanent account number (PAN)

☐ Appointment ☐ Cessation

Membership number of the secretary

First name

Middle name

Last name

Father's name

First name

Middle name

Last name

Present residential address

Line I

Line II

City

State

ISO country code

Pin code

Phone

Fax

Date of birth

(DD/MM/YYYY)

Designation

Date of appointment or cessation

(DD/MM/YYYY)

e-mail ID

Verification I

- ☒ 1. I confirm that the information given above is true to the best of my knowledge and belief.
- ☐ 2. It is also hereby confirmed that the consent of the appointee Managing Director, director(s) has been filed as an attachment to this eForm (applicable only in the case of a public company)

Attachments:

1. Evidence of payment of stamp duty where qualification shares is involved
(This will be mandatory only if the director giving consent agrees to pay for at least one share) Attach
2. Consent(s) of the appointee Managing Director, director(s) Attach
3. Declaration regarding qualification shares Attach
4. Evidence of cessation Attach
5. Optional attachment(s) - if any Attach
- List of attachments
- SREEMUDRANALAYA CONSENT ANITA.pdf
SREEMUDRANALAYA RESIGNATION DEB.p
- Remove attachment

Verification II

To the best of my knowledge and belief, the information given in this form and its attachments is correct and complete.

- ☒ I have been authorised by the Board of directors' resolution number dated (DD/MM/YYYY) to sign and submit this form.
- ☐ I am authorised to sign and submit this form.

To be digitally signed by

Managing Director or director or manager or secretary of the company
(In case of an existing company, person signing the form should be different from the person in whose respect the form is being filed)

*Designation

*Director identification number of the director or Managing Director; or
Income-tax PAN of the manager; or
Membership number, if applicable or income-tax PAN of the secretary
(secretary of a company who is not a member of ICSI, may quote his/ her
income-tax PAN)

Certificate

It is hereby certified that I have verified the above particulars from the books and records of

and found them to be true and correct.

- ☐ Chartered accountant (in whole-time practice) or ☐ Cost accountant (in whole-time practice) or
- ☒ Company secretary (in whole-time practice)

*Whether associate or fellow ☒ Associate ☐ Fellow

*Membership number or certificate of practice number

Modify Check form Prescrutiny Submit

For office use only:

This e-Form is hereby registered

Digital signature of the authorising officer

Submit to BO

HIGH COURT, ORIGINAL SIDE
18 NOV 1942
CALCUTTA

Purchase Order No. EPO/COM/23-24/00241
 Purchase Order Date 05-01-24
 UCID UCID/23-24/000019891

SL No.	Description of Goods / Services	HSN / SAC	Qty	UOM	Rate / Price (₹)	Total Amount (₹)	Taxable Amount (₹)	CGST		SGST		IGST		Total (₹)
								Rate	Amount (₹)	Rate	Amount (₹)	Rate	Amount (₹)	
3	Digitization of Cadastral Map : Vectorization of scanned cadastral maps on a 1:1 scale for	998314	1	Nos.	718.00	718.00	718.00	9.00	64.62	9.00	64.62	0.00	0.00	847.24
4	Digitization of Cadastral Map: Updation (Addition/ Deletion/ Modification) of maps as receive the Directorate including all associated	998314	1	Nos.	718.00	718.00	718.00	9.00	64.62	9.00	64.62	0.00	0.00	847.24
5	Digitization of Cadastral Map: Updation (Addition/ Deletion/ Modification) of maps as receive the Directorate including all associated	998314	1	Nos.	709.00	709.00	709.00	9.00	63.81	9.00	63.81	0.00	0.00	836.62
6	Digitization of Cadastral Map : Hal-Sabek analysis with LR and RS maps	998599	1	OTHERS	1,272.50	1,272.50	1,272.50	9.00	114.53	9.00	114.53	0.00	0.00	1,501.56
NET AMOUNT:-														4,244.50
CGST :-														382.01
SGST :-														382.01
IGST :-														0.00
ROUNDING OFF:-														0.48
TOTAL AMOUNT INCLUDING TAX:-														5,009.00



NET AMOUNT:-
CGST :-
SGST :-
IGST :-
ROUNDING OFF:-
TOTAL AMOUNT INCLUDING TAX:-



AMOUNT IN WORDS (RUPEES):- **** FIVE THOUSAND NINE AND PAISE ZERO ONLY

GENERAL TERMS AND CONDITIONS

- Assignment of the job to third party is not allowed without the consent of WBEIDC Ltd.
- In case of any dispute or differences, breach and violation relating to the terms of this agreement, the said dispute or difference shall be referred to the sole arbitration of Managing Director, WBEIDC Ltd. or any other person appointed by him. The award of the arbitrator shall be final and binding on both the parties. In the event of such arbitrator to whom the matter is originally referred to vacates his office on resignation or otherwise or refuses to do works or neglecting his work or being unable to act as arbitrator for any reason whatsoever, the Managing Director shall appoint another person to act as arbitrator in the place of outgoing arbitrator and the person so appointed shall be entitled to proceed further with the reference from the stage at which it was left by the predecessor. The Contractor will have no objection in any such appointment that arbitrator so appointed is employee of WBEIDC Ltd. The adjudication of such arbitrator shall be governed by the provision of the Arbitration and Conciliation Act, 1996, or any statutory modification or re-enactment thereof or any rules made thereof. The arbitration shall be held in Kolkata only.
- If the execution of the contract/supply order is delayed beyond the period stipulated in the supply order as result of outbreak of hostilities, declaration of an embargo or blockade of road, fire, flood or any such act of nature, then WBEIDC LTD may allow such additional time by extending the project execution timeframe as considered to be justified by the circumstances of the case and its decision will be final. If additional time is granted by the WBEIDC LTD, the supply order shall be read and understood as if it had contained from its inception the execution date as extended.

Purchase Order No. EPO/COM/23-24/00241

Purchase Order Date 05-01-24

UCID UCID/23-24/000019891

4 Price quoted should be inclusive of freight & insurance upto the delivery locations.

5 All bills/ invoices must be raised / submitted with proper GSTIN No. of WBEIDC Ltd (GSTIN No.- 19AAACW2411Q1Z1) for releasing payment.

6 WBEIDC Ltd. reserves the right to cancel Purchase Order if the agreed delivery schedule is not adhered to by the supplier. Any loss arising out of such delay in the supply of the equipment / service, shall be on the supplier account.

7 The price offers shall remain firm within the currency of contract and no escalation of price will be allowed. The quoted offer and / or rate must be valid for a minimum period of 180 Days from the date of opening of the tender. The tender inviting authority reserves the right for seeking extension of validity of offered rates from the successful bidder. Acceptance of such request during actual offer is however optional to the bidder. The price validity will remain unaltered irrespective of any reason including foreign exchange rate variation. Variation in statutory rate levied by Government will however be reflected for both reduction and escalation.

8 Reporting: You have to report to MR.SOURAV GUHA THAKURTA,SVP-CIO for TECHNICAL purposes.

9 Deduction of all statutory and necessary Tax from each bill will be made as per Government Rules prevailing at the time of payment. The Company will issue necessary tax deduction certificate in due course of time.

SPECIAL TERMS AND CONDITIONS

1 Consignee Details: O/O DIRECTOR OF LAND RECORDS AND SURVEYS AND JOINT LAND REFORMS COMMISSIONER, GOVERNMENT OF WEST BENGAL.

2 THE DATE OF COMPLETION OF THE WORK IS 12 MONTHS.

3 Delivery/Installation location:

AS DIRECTED BY O/O DIRECTOR OF LAND RECORDS AND SURVEYS AND JOINT LAND REFORMS COMMISSIONER, GOVERNMENT OF WEST BENGAL.

"SURVEY BUILDING" , 35, GOPAL NAGAR ROAD, KOLKATA - 700 027.

4 All terms and conditions of Agreement dated 31-05-23 will be applicable on you.

5 Price will be all inclusive including tax, installation, freight, insurance & any other charges. Tax portion should be mentioned separately.

6 As per the job mentioned in the tender document; In the event of failure to meet the job completion in stipulated date/time liquidated damage may be imposed on the Vendor(s) for sum equivalent to 1.00% of the contract value for each week or part thereof, subject to a ceiling of 5.00% of the contract value (including all taxes & duties and other charges). In the event of LD exceeds 5.00% of

the order value, WBEIDC reserves the right to terminate the contract and WBEIDC will get the job completed by any other competent party. The difference of cost incurred by WBEIDC will be recovered from the earnest money deposited / PBG / Invoice submitted by the vendor (as applicable).

7 Payment sanctioning authority: MR.SOURAV GUHA THAKURTA, SVP-CIO

8 PAYMENT TERMS:- PAYMENT WILL BE MADE ON SUBMISSION OF BILLS ALONG WITH THE RECEIPTED CHALLAN & UPON RECEIPT OF PAYMENT RECEIVED FROM CUSTOMER ON BACK TO BACK PAYMENT BASIS.

PAYMENT WILL BE RELEASED WITHIN 30 DAYS AFTER RECEIVING PAYMENT FROM THE END CUSTOMER.

9 Service Level: Resolution time should be 24 HOURS. If not resolved within 24 HOURS, a penalty of 0.5% of equipment cost per day will be levied and will be adjusted against the balance payment/PBG held with WBEIDC Limited.



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Page No. 4

Purchase Order No. EPO/COM/23-24/00241

Purchase Order Date 05-01-24

UCID/23-24/000019891

Purchase Order is received and accepted unconditionally.

For -

SREEMURDRANALAYA TECHNOLOGY PVT. LTD.
UG FLOOR, THE TERMINUS, BG-12,

AUTHORIZED SIGNATORY

Cc To: MD, GM(F), GM(COM), Billing Dept.



For -

West Bengal Electronics Industry
Development Corporation Limited

AUTHORIZED SIGNATORY

Annexure - "N"
- 136 -

Signature.....
the Pleading / Affidavit
Affirmed by A. K. Ray
on the.....
on the..... Day of Nov
2026
Before me

Commissioner

CHARGE SHEET

Police Station : Randher Police Station, District : Surat, Charge Sheet No.6/03. Date : 06/01/2003
Name, address and Occupation of Complainant or Informant : Shri Ashok Kantilal Sheth,
First Information Number : Shandare I 226/02 Date : 30.08.2022.

Authorised Manager, The Adajan Nagrik Sahakari Bank Ltd., "Manthar" Muktanandnagar, Sardar Bridge, Circle, Adjan
Road, Surat - 395 009.

Name and address of accused person sent up for Trial in Custody on Bail.	Name and address of accused person not sent up for trial, whether address and not addressed including absconders (Show absconder in red ink).	Property (including weapons) found with particulars of where, when by and by when found and whether forwarded to Magistrate.	Name and address of witness	Charge or information name of offence and circumstance connected with it, in concise detail and under what section of law charged.
1	2	3	4	5
Ketanbhai Kantilal Sheth residing at 193, Lalit K...	1) Nandkishor Amritlal Trivedi, Residing at 193, Lalit K...		1) Ashok Jayantilal Sheth, Authorized Manager	Section, 406, 409, 420, 421, 422, 423, 465,

HIGH COURT, ORIGINAL

10 NOV 2026

CALCUTTA

9, GulMohar Road, J.V.P.D. Juhu, Mumbai, yesterday dated 01.10.2022 at 15.00 Hrs. Within the period of application, police remand from 6/10/2002 to 11/10/2002 was obtained and within the period of completion of remand, you have been sent to the custody of Namdar Court.	Mumbai.	The	467, 458, 471, 114, 34, 120(b) accordingly in such a way that Accused mentioned in number 1 arrested and price mentioned in number 2 was found on charges of vagrancy home Trade Limited Company gave trust and confidence to buy government security of land at Mumbai location during the period from 25/09/2000 to 2/6/2002. Accused No. 1 arrested for this work Adjanan Co-operative Bank came
2) Sanjay Hariram Agrawal, residing at Shalimar C.M.S. Gulmohar, Cross Road No.10, Juhu, Mumbai.	Sanjay Hariram Agrawal, residing at Shalimar C.M.S. Gulmohar, Cross Road No.10, Juhu, Mumbai.	Adajan Nagrik Sahakari Bank, Adjanan Chowk, Surat.	
3) Subodh Bhandari residing at 704, Shri Govind Complex, Sector No.14, Navi Mumbai.	Subodh Bhandari residing at 704, Shri Govind Complex, Sector No.14, Navi Mumbai.	Hon'ble Bank Chairman Haribhai Ranchodji Patel residing at B-4, Nandan Apt., Adjanan Road, Surat.	
4) Hiten Bhupendra Shah, residing at 102, Gandhi Niwas, Ashok Nagar, Vakola, Santacruz, Mumbai.	Hiten Bhupendra Shah, residing at 102, Gandhi Niwas, Ashok Nagar, Vakola, Santacruz, Mumbai.	Hon'ble Bank Director Pankajbhai Dhansukhlal Shah residing at B-4, Nandan Apt., Adjanan Road, Surat.	
5) Hinesh Gada, Senior Vice President HOME TRADE COMPANY, Navi Mumbai. Occupation Place : 709, Raheja Centre, 214, Free Press Journal Marg, Mumbai.	Hinesh Gada, Senior Vice President HOME TRADE COMPANY, Navi Mumbai. Occupation Place : 709, Raheja Centre, 214, Free Press Journal Marg, Mumbai.	Hon'ble Asst. Manager, Mukeshbhai Ranchodji Nayak residing at 33, Narayan Apt., Asha	
6) Shashank Gopal Ranade, residing at 3/1, Radhakrishna Nivas, S.K. Bole Marg, Dadar, Mumbai.	Shashank Gopal Ranade, residing at 3/1, Radhakrishna Nivas, S.K. Bole Marg, Dadar, Mumbai.		

Issue No.1.

Criminal Case No.174/03

Order

Taking the charge sheet to the complaint register Section 406, 409, 420, 421, 428, 429, 465, 201 to

summons the Accused.			under the name of
Chief Judicial Magistrate, Surat	7)	Vijay Himmatlal Modi, residing at A-203, Amita Dr. C. Housing Society, 5) Kutupavadi, Borivali (East), Mumbai.	Home Trade Limited Company to deal in government securities and lastly 7.5% from GOI 2010 retail which cost Rs.3,05,06,250/-
06.01.03	8)	Salil Dinkar Lal Gandhi, residing at 11-13 Gold Coin CHS Ltd., Tardeo, Mumbai.	The Home Trade Company purchased contract note No. IBI/NSE/06911-01-02
	9)	Allan James Makmilan, residing at 785, Kestro Street, Montenuue, C.A. 94041, (U.S.A.)	to the bank regarding the purchase of which the accused had purchased from the bank The arrested accused and absconding accused did not provide security ad janannagrik
	10)	Rasal Bank, residing at Timber Wheel Terrace, Aryan Field M.C. 1940 (U.S.A.)	
	11)	Mike @ Manoj Ambelal Shah, residing at Belari Road, RMV Extension, Bangalore.	
	12)	Dhananjay Agrawal, Director HOME TRADE COMPANY, Occupation Place 09, Raheja Centre, 214, Free	

	Fress Journal Marg, Mumbai	co-operative bank
13)	Smt. ShilpaHiten Shah, residing at 102, Gandhi Niwas, Ashok Nagar Road, Vakola, Santacruz, Mumbai.	betrayed and defrauded as above Accused No. 1 KetanSheth was caught and the accused persons mentioned in Clause No. 2 were concealed etc.
14)	JagrutibenKetanSheth, residing at 193, LalitKutir, Gulmohar Cross Road No.9, Juhu, Mumbai.	
15)	KananMovavala residing at JayantiMahal 5 th Floor, Next to Wankhede Stadium, Marine Drive, Mumbai.	
16)	Ketan R. Maskaria, Director HOME TRADE COMPANY, Occupation Place 09, Raheja Centre, 214, Free Fress Journal Marg, Mumbai.	
	Sent to you with Jay Bharat Dt.3.1.2003.	

Copy Sent :

- 1) P.S.I. ShriRandher and

2) Asst. P.S.I. Shri G. Devi Surati, Randher, Tal. Randher.
Dispatched
Dated Month Year Morning/Evening sent.
(Signature of Investigation Officer)

2002 REGISTER OF PERSONS CAUGHT UNDER THE JURISDICTION OF RANDHER POLICE STATION.

Mauje :RandherTalukaChithaveli, District : Surat.

Sr. No.	Crime Register No.	The name of the arrested man, his father's name and surname	Taluka and District of Residence (Village).	Caste and business	Allegation of crime	Signs on the body	Detained or above ground.	The crime was proved, convicted or acquitted	Name and address of next of kin of the accused informed	Remark
1.	Randher P.S.I. 226/02	KetanbhaiKanilalSheth	Flat No. 193, LalitKutir, Gulmohar Road, JVPD, Juhu, Mumbai.	Hindu VaishnavVaniya	IPC Section 406, 409, 420, 421, 422, 423, 465, 457, 458, 114, 34 120(b)	Age 40, Height 5'-8" by Body Strong, Face Wheat Colour, Mouth Twitching, Right Hand Painted Left Hand's has been operated.			Told to Maternal Uncle of the Accused.	Dated 5.10.2002.

(ARREST MEMO)

1)	Name of Police Station	:	Randher Police Station
2)	Crime Register No. Section	:	Randher I. 226/02, Indian Penal Code Section 420, 421, 422, 423, 465, 467, 468, 471, 114, 34, 120(b) accordingly.
3)	Name of Accused and Address	:	Ketanbhai Kantilal Sheth, aged 40 years, residing at Flat No.103, Lalit Kutir, Gulmohar Road, JVPD, Juhu, Andheri, Mumbai.
4)	Date of Place of Detention	:	Adanan Patadia, Dt.01.10.2004 time 5.30.
5)	Name Address of person who arrested.	:	Chandrakant Anantrai Parekh, aged 61, (Chandumama) Occupation : Retired, Residing at 143, Ashok Society, Kalvane Phata, Kharegam, Poona, (Maharashtra).
6)	His relationship with the detainee	:	The Detainee is Son-in-law (Bhanej).
7)	Signature of detainee	:	Sd/- (Ketan Kantilal Sheth)
8)	Signature of detainee's relative/uncle	:	Sd/-

Date : 5.10.2022

Sd/-

P.S.I. Randher
Station, Surat City

Randher Police Station Register No.2, 226/02, Indian Penal Code Section 420, 406, Ketan Kantilal accused of committing the following offences residing at Mumbai's Photograph.

CERTIFICATE

It is hereby certified that Randher Police Station Register No. 226/02 Indian Penal Code Section 420, 406 etc. The accomplice of the said crime has been confirmed as compared to the above photo.

- 1) Hon'ble Surat Police Commissioner,
Add : Bahumali Makan, Nanpura, Surat.
- 2) Hon'ble Police Inspector,
Add : Randher Police Station, Surat.

Complaint Application No. /2002

Complainant : The Adajan Nagrik Sahakari Bank Ltd.,

Add : "Manthan" Apartment, Near Gujrat Gas Circle, Adajan Road, Surat for and on behalf of him Authorized Manager Shri Ashok Jayantilal Sheth, Aged about 46 years, Add : of Ajan.

Versus

Accused : 1) HOME TRADE LIMITED, Registered Company, Occupation : Share Security Brokerage etc. Address : (1) International Infotech Park, Tower No.3, 5th Floor, Vashi Railway Station Complex, Navi Mumbai, Dist. Thane,

Maharashtra State, (2) 709, Raheja Centre, 214, Free Press Journal Marg, Mumbai - 400 002, Maharashtra State.

- 2) Shri Nandkishor Amritlal Trivedi, aged 45, Occupation : Business, Residing at Dev Bhuvan, 2nd Floor, Chira Bazar, Mumbai.
- 3) Shri Ketan Kantilal Sheth, aged 40 years, Occupation : Business, Residing at 193, Lalit Kutir, Gulmohar Cross Road No.9, Juhu, Mumbai.
- 4) Shri Sanjay Hariram Agrawal, aged 35, Years, Occupation : Business, residing at Shalimar C.H.S. Gulmohar, Cross Road No.10, Juhu, Mumbai.
- 5) Shri Subodh Bhandari, aged 46 Years, Occupation : Business, residing at 704, Shri Govind Complex, Sector No.14, Navi Mumbai.
- 6) Shri Hiten Bhupendra Shah, aged adult, Occupation : Business, residing at 102,

Gandhi Niwas, Ashok Nagar Road, Vakola,
Santacruz, Mumbai.

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- 7) Shri Hiren Gada, aged Adult, Occupation-
Business, Senior Vice President HOME
TRADE COMPANY, Occupation : Share,
Security's Brokerage, Occupation Place :
(1) International Infotech Park, Tower
No.3, 5th Floor, Vashi Railway Station
Complex, Navi Mumbai, Dist. Thane,
Maharashtra State, (2) 709, Raheja Centre,
214, Free Press Journal Marg, Mumbai,
Maharashtra State.
- 8) Shri Shashank Gopal Ranade, Aged 40
years, Occupation: Business, residing at
3/1, Radhakrishna Nivas, Ground Floor,
S.K. Bole Marg, Dadar (C.W.J.) Mumbai.
- 9) Shri Vijay Himmatlal Modi, aged 46 years,
Occupation: Business, residing at A-203,

(13)

Amita Co-Operative Housing Society,
Kulupvadi, Borivali (E), Mumbai-400 063.

- 10) Shri Salil Dinkarlal Gandhi, aged 43 years,
Occupation: Business, residing at 11-13
Gold Coin CHS Ltd., Tardeo, Mumbai –
400 034.
- 11) Shri Allan James Makmilan, Aged 41
years, Occupation: Business, residing at
785, Kestro Street, Montenuue, C.A. 94041,
(U.S.A.).
12. Shri Rasal Bankkem Vegar, aged Adult,
Occupation: Business, residing at Timber
Hill Terrace, Aryan Field M.A. 1940
(U.S.A.).
13. Shri Mike @ Manoj Ambelal Shah, aged
58, Years, Occupation: Business, residing
at Belari Road, RMV Extension, Bangalore
– 506 080.
14. Shri Dhananjay Agrawal, aged adult,
Occupation: Business, Director HOME

TRADE COMPANY, Occupation: Share,
Security Brokerage, Add: (1) (1)
International Infotech Park, Tower No.3,
5th Floor, Vashi Railway Station Complex,
Navi Mumbai, Dist. Thane, Maharashtra
State, (2) 709, Raheja Centre, 214, Free
Press Journal Marg, Mumbai, Maharashtra
State.

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15. Smt. Shilpa Hiten Shah, aged adult,
Occupation: Business, residing at 102,
Gandhi Niwas, Ashok Nagar Road, Vakola,
Santacruz, Mumbai – 400 055.
16. Smt. Jagrutiben Ketan Sheth, aged adult,
Occupation: Business, residing at 193, Lalit
Kutir, Gulmohar Cross Road No.9, Juhu,
Mumbai.
17. Shri Kanan Movavala, aged 28 years,
Occupation: Business, residing at Jayant

Mahal 5th Floor, Next to Wankhede Stadium, Marine Drive, Mumbai.

18. Shri Ketan R. Maskaria, aged 35 Years, Occupation: Business, Director HOME TRADE COMPANY, Occupation : Share, Security's Brokerage, Occupation Place : (1) International Infotech Park, Tower No.3, 5th Floor, Vashi Railway Station Complex, Navi Mumbai, Dist. Thane, Maharashtra State, (2) 709, Raheja Centre, 214, Free Press Journal Marg, Mumbai, Maharashtra State.

Complaint : E.P.'s Code Section – 406, 409, 420, 421, 422, 423, 465, 467, 468, 471, 114, 34, 120(b) accordingly.

It is the case of the complainant.

1. We are the complainant Adajana Road, Surat under the Banking Regulation Act, 1949 and Gujarat Co.Op. is a co-operative bank established and governed by the Act and bye-laws our institution has been granted necessary license by Reserve Bank of India Ahmedabad to carry out

(16)

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banking operations and our bank office is located at Adajan Road, Surat. As per the resolution passed by the Board of Directors of Text Bank, we have authorized the complainant to file a legal complaint against the accused in this case and accordingly the present complaint has been filed against this case.

2. Accused No. 1 in this case is a firm named "M/s Home Trade Limited" and the firm is registered in the National Stock Exchange as a share and stock broker and accused No. 2 to 18 in this case are directors and

Page 8

agents of the said firm and the accused firm is said to be engaged in issuing share securities etc. And we made such representations to the prosecutor and on such representations, the prosecutor believed them and accepted them as agents of the firm of accused No. 1 and acted. Accused Nos. 2 to 18 are managing the firm of Accused No. 1 as directors and agents, managing themselves directly supervising and responsible for

the management of the firm and in that capacity the present complaint has been filed against the accused.

3. The Plaintiff bank has paid its statutory liquidity amount which S.L.R. addressed as SLR. As per the amount to be invested in Government securities and as determined by the Reserve Bank from time to time in accordance with the provisions of this SLR Ratio Banking Regulation Act, 1949 and compliance with such orders of the Reserve Bank is mandatory for all Co-Operative Banks and it is by the way, the Plaintiff bank also S.L.R. Investment in Government securities was mandatory to maintain.
4. Accused No.3 in this case Mr. Ketan Sheth who is Mr. Neeraj Surti Chartered Accountant resident of Bharuch dated 25th September 2000 to the complainant bank which is situated near "Manthan" Muktanand Nagar, Adajan Circle and Accused No.3 stated that he is share-broker at Mumbai as well also Home Trade Limited which does government security work and its Director, as well as Accused No.4 Sanjay Agrawal who is both the Chairman and Executive of the Company. Also Accused No.2 Nandkishore Trivedi is the Executive Director of the

Company all three of them stated that they are Performer and authorized signatories of Home Trade Limited in addition, Home Trade Ltd. stated to be a Member of the National Stock Exchange and produced xerox copy of his Certificate in proof thereof, and further stated that company has a fully computerized air-conditioned office at Mumbai location with Ultra-Modern Facilities and most of the business of the Mumbai Poona Stock Exchange is being done by his firm. Claims were presented regarding the performance of the firm stating that.

Considering the above representation of accused no.3, the complainant bank entered into a contract with him to purchase a security of Rs.one crore at 12% and under this contract gave a Cheque of HDFC to the accused pursuant to which the accused delivered this security to the complainant bank.

Thereafter, the complainant bank entered into a contract dated 15/01/2001 to purchase a security of 50 lakhs bearing 10.25%, the payment of which was made by the complainant bank through a Cheque of HDFC, the delivery of which was also given to us by the accused.

On 29/08/2001 the accused firm Home Trade Limited had delivered both the previous contracts and the Reserve Bank of India had given an endorsement in favor of that bank, the complainant bank directed the accused firm to purchase a 10.25% government security of Rs.50 lakhs. The contract was awarded and the complaint bank also made the payment through the Cheque of accused HDFC.

Then on 05/12/2001 Accused No. 3 Mr. Ketan Sheth and Mr. Neeraj Surti appeared before the complainant bank and Home Trade Limited is doing Government Security work on a large scale and they are another registered company of this group Vez India Limited. A new company is also coming in the market by the name. Also his company has done commercials by Shah Rukh Khan, Hrithik Roshan, Sachin Tendulkar and Priyanka Chopra. Thus accurate claims were made about the performance of their company.

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Keeping this fact in mind, they had earlier told us that the security market price of two Crores taken by them was good, so the bank would get a good profit and entered into the sale contract. Also, since the security market price of 7.5% is less than 3 Crore rupees, he was told to buy and a purchase contract was entered into and the remaining amount is from HDFC Bank adjusting the amount of the sale contract against the amount of the purchase contract. A cheque of Rs.67,26,076.38 Paisa was issued in the name of the accused firm. The accused firm had deposited it in its account and encashed it but then the complainant bank did not give it despite repeated demands from the accused for the delivery of the 7.5% security of Rs 3 crore purchased by Home Trade Limited. Thus, on 05/12/2001, the representations made by the accused were made with the intention of defrauding the bank by misappropriating the bank's money and taking delivery of all the security taken earlier by giving the contract of sale and the accused did not deliver the security as per the contract. Thus, with the intention of committing crimes, the accused has defrauded the complainant bank by taking a Cheque of a large amount and not delivering the security.

5. Believing the statement of the accused and S.L.R. for the purpose of maintenance, the plaintiff has entered into the following financial transactions with the accused in this case.

DETAILS OF FINANCIAL TRANSACTIONS

- a) Date : on 28.09.2000 the Plaintiff Bank purchased 12% SDL – 2010 security of Rs.1 Crore Home Trade Ltd., as stated and accordingly accused

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gave contract note (10629). Pursuant to this purchase, the complainant bank issued a Cheque of Rs.1,00,25,000/- of HDFC. Which I have encashed Home Trade Limited. Pursuant to this payment, the above security was delivered to the bank.

- b) On 15/01/2001 the complainant bank offered to purchase CG-2012 security of 10.25% for Rs.50 lakhs and accordingly Home Trade Limited issued Contract Note No: 6401. The complainant bank issued a check to HDFC

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FORM 5-A

FINAL REPORT FORM
(Under section 173 of Cr. P.C.)

IN THE COURT OF LD. ADDL. CHIEF METROPOLITAN MAGISTRATE
19TH COURT, ESPLANADE, MUMBAI.

20
6/2/PW/07

1. Dist: Mumbai:- Santacruz Police Station, Year 2005 FIR No. 83/05 Date:- 17-02/2005
(Economic Offences Wing, C.B., C.I.D., Mumbai C.R.No.13/05)

2. Final Report/Charge sheet No 3. Date:-.....

4. (I) Act I.P.C. Sec:- 409, 420, 34

(ii) Act: Sec.

(iii) Act:..... Sec.....

5. Type of Final Form/Report:- Main Charge Sheet.

6. If F.R. Unocured:

7. If charge Sheeted:- Main.

8. Name of the I.O. P. B. Loke Rank:- Police Inspector No.....

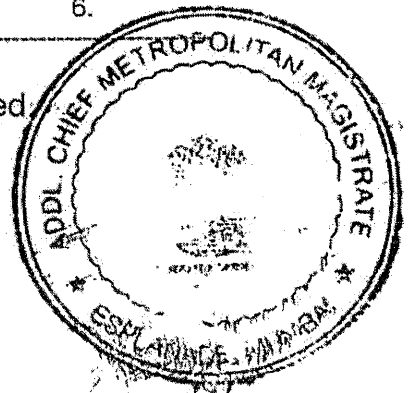
9. (a) Name of the complainant:- Shri. Sudhir Bipinchandra Shah.

(b) Father's name :- Shri. Bipinchandra Shah.

10. Details of Properties/ Articles/ Documents recovered/ seized during investigation and
relied upon:

Sr. No.	Property Description	Estimated value	P.S. Property Register No.	From Whom recovered	Disposal
1.	2.	3.	4.	5.	6.

Separate List of documents attached.



11. Particulars of accused person charge sheeted:-

(i) Name :- Ketan Kantilal Sheth..

Whether verified:.. Yes

(ii) Father's Name:- Kantilal Sheth.

(iii) Date/Year of Birth:- 30/12/1962.

(iv) Sex:..Male.....(v) Nationality:-..Indian...

(vi) Passport No... .. Date of Issue... .. Place of Issue

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:..Service (Share Broker).

(x) Address:- 193, Lalit Kutir Co-operative Housing Society,
Gulmohar Cross Road No.9,
Andheri (West), Mumbai.

Whether verified:- Yes.

(xi) Provisional Criminal No.....

(xii) Regular Criminal No.....

(xiii) Date of arrest:..21/07/2005

(xiv) Date of release on Bail:.. 26/07/2005.

(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address:- Mrs. Heenaben Harshadbhai
Dave, H-38 Yrs. Residing at A/38, Pushpa Park,
S.V.Road, Borivali (West), Mumbai:- 400 092.

(xviii) Previous convictions with reference:.....

(xix) Status of the accused :.. on Bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender

11. Particulars of accused person charge sheeted:-

(i) Name :- **Sanjay Hariram Agarwal.**

Whether verified:... Yes

(ii) Father's Name:- **Hariram Agarwal.**

(iii) Date/Year of Birth:- **30/12/1966.**

(iv) Sex:... **Male**.....(v) Nationality:-... **Indian**...

(vi) Passport No...-----, Date of Issue...-----, Place of Issue -----

(vii) Religion:- **Hindu** (viii) whether :.....

(ix) Occupation:... **Business**

(x) Address:- **7, Harisabha Street, Khiderpur Street, Kolkatta-23.**

Whether verified:- **Yes.**

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:... **24/03/2006**

(xiv) Date of release on Bail:... **27/03/2006.**

(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- **409, 420, 34 IPC**

(xvii) Name(s) of Bailers/ sureties and Address.

Shri. Mohd. Shabbir Miya Mohammad Munshi.

**Residing at Ward No.2, Sathi Serve No. 2847, Kadar Ajijs
Street, Sangram Pura, Surat, Gujrat.**

(xviii) Status of the accused :... **on bail.**

**Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:.....**



11. Particulars of accused person charge sheeted:-

(i) Name **Nandkishore Shankarlal Trivedi.**

Whether verified:.... Yes

(ii) Father's Name:- **Shankarlal Trivedi.**

(iii) Date/Year of Birth:- **02/07/1967..**

(iv) Sex:.... **Male**.....(v) Nationality:-....**Indian**...

(vi) Passport No..... Date of Issue..... Place of Issue

(vii) Religion:- **Hindu** (viii) whether :.....

(ix) Occupation:....**Business.**

(x) Address:- **3/A , Pushpam, K.D.Road, Vile Parle (West), Mumbai.**

Whether verified:- **Yes.**

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:....**24/11/2005**

(xiv) Date of release on Bail:....**28/11/2005.**

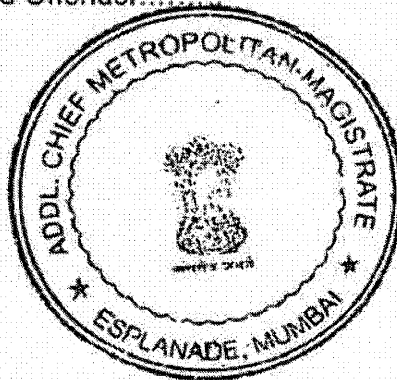
(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- **409, 420, 34 IPC**

(xvii) Name(s) of Bailers/ sureties and Address. **(Cash Bail).**

(xviii) Status of the accused :.... **on bail.**

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:.....



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FORM 5-B

24

11. Particulars of accused person charge sheeted:-

(i) Name :- Subodhchand Dayalchand Bhandari.

Whether verified:.... Yes

(ii) Father's Name:- Dayalchand Bhandari.

(iii) Date/Year of Birth:- 04/09/1965..

(iv) Sex:....Male.....(v) Nationality:-...Indian...

(vi) Passport No...-----, Date of Issue...-----, Place of Issue -----

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:....Business.

(x) Address:- Gulab View Society, Near Basant Cinema,
Chembur (East), Mumbai.

Whether verified:- Yes.

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:....09/01/2006

(xiv) Date of release on Bail:....16/01/2006.

(xv) Date on which forwarded to COURT.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address. (Cash Bail)

(xviii) Status of the accused :... on bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender



12. Particulars of accused person not Charge sheeted (Suspect):-

(i) Name :-.....

Whether verified:.....

(ii) Father's Name:.....

(iii) Date/Year of Birth:-----

(iv) Sex:.... (v) Nationality:-.....

(vi) Passport No..... Date of Issue..... Place of Issue.....

(vii) Religion:.... (viii) whether SC/ST:.....

(ix) Occupation:-----

(x) Address:-

Whether verified:.....

(xi) Provisional Criminal No:.....

(xii) Suspicion Approved: Yes / No

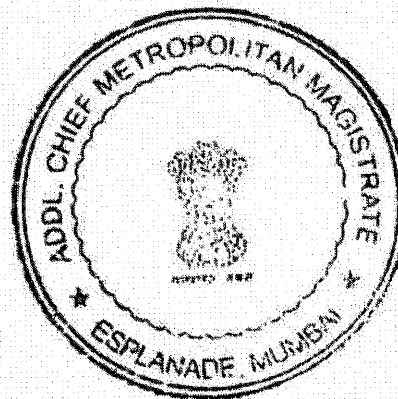
(xiii) Status of the accused (Suspect).....

(Bailed by Police / Bailed by Court / In Judicial Custody / Absconding /

Proclaimed Offender / Not arrested).....

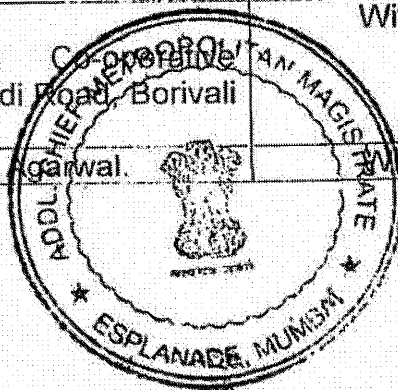
(xiv) Under Acts and Sections:

(xv) Any special remarks including reasons for not charge sheeting



13. Particulars of witnesses to be examined.

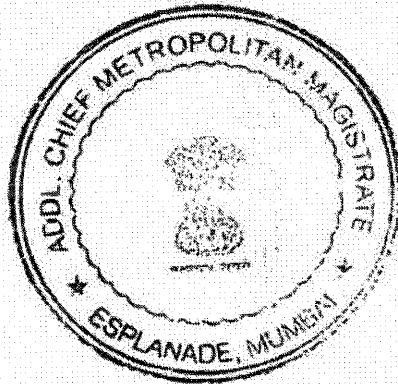
Sr. No.	Name of the Witness	Particular Complainant
01	Shri. Sudhir Bipinchandra Shah. B/307, Shrinath Appartment, S.V.P.Road, Borivali (West), Mumbai-92.	
02	Shri. Kaushal Kamal Kailash. B-108, Front View Co-operative Society, Phase-II, P.P.Marg, Virar (West), Dist:- Thane.	Witness
03 PW-2	Shri. Prakash Sadashiv Sawant. Sahakar Ramnagar, Chawl No. 1/7, Chhatrapati Shivaji Marg, Santacruz (East), Mumbai-400 055.	Witness
04	Shri. Vilas Visharam Jadhav. D-5/19, Runwal Nagar, Kolbad, Thane (West).	Witness
05 PW-1	Shri. Nihal Jayendra Gandhi. Shyam Niwas, 1 st Floor, Bhulabhai Desai Road, Mumbai-400 026.	Witness
06	Shri. Bhagatsingh Bijaysingh Ailsingani. 402, Krishna, St. Anthony Road, Kalina, Santacruz (East), Mumbai.	Witness
07 PW-3	Shri. Atul Balmukund Oza. B/708, Rajumang, No2, Shiv Vallabh Road Cross Road, Ashokvan, Dahisar (East) Mumbai.	Witness
08	Mrs. Heenaben Harshadrai Dave. A/38, Pushpa Park, S.V.Road, Borivali (West), Mumbai-400 082.	Witness
09	Miss. Bina Navneetbhai Sanghavi. B/406, Amrut Apartment, Irani Wadi, Dahisar (West), Mumbai.	Witness
10	Shri. J. P. Ravetkar. C/o. 1444, Shukrawar Peth, Thorale Bajirao Road, Pune.	Witness
11	Smt. Chitra Abyankar. Officer of HDFC Bank, Manekji Wadia Building, Nanik Motwani Marg, Fort, Mumbai.	Witness
12	Shri. Salil Dinkarlal Gandhi, R/O A/11/13, Gold Coin, Co-Op Housing Society, tardeo, Opp. Cross Road, Mumbai.	Witness
13	Shri. Vijay H. Modi. A/203, Borivali Amita Co-operative Housing Society, Kulupwadi Road, Borivali (East), Mumbai.	Witness
14	Shri. Mahendra Radheshyam Agarwal.	Witness



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	2-J, Judges Court Road, Kolkotta-700 027.	
15	Shri. Shriprakash Poddar. R-11, Devendra Dutta Lane, Posta, Kolkotta.	Witness
16	Shri. Amit Kantilal Sheth. 12/224, Juhu Sheetal, Samarath Ramdas Marg, JVPD Scheme, Vile Parle (West), Mumbai-49.	Witness
17 pw-4	Shri. Apporva Labhabhai Sanghavi. 5, Karim Manar, Krishna Sangli Road, Gamdevi, Mumbai-400 007.	Witness
	Government Witnesses	
18	H.C.- 7769, EOW, CB, CID, Mumbai.	Witness
19	H.C.-19949, EOW, CB, CID, Mumbai.	Witness
20	H.C. 22775, EOW, CB, CID, Mumbai	Witness
21	PSI Vilas Suryavanshi, Santacruz Pstn.	Witness
22	PI P.B. Loke, EOW, CB, CID, Mumbai.	I.O.S. 4/8/14



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FORM 5-E

14. Brief facts of the Case (Add separate sheet , if necessary):-

The complainant Shri. Sudhir Bipinchandra Shah is Sr. Manager, General Administration and Trustee of Mafatlal Services Ltd. Employee Gratuity Fund and other Trust of Mafatlal Group of Companies. The offence is registered at Santacruz Police Station, vide C.R.No. 83/05 and this branch has taken further investigation of this case vide C.R.No.13/05.

During the course of investigation it was revealed that, the complainant i.e. the above mentioned Trusts booked Government Securities with GMSL and GMSL given them the Bills and Invoices for the said transactions. The said GMSL then booked the Government Security with Home Trade Ltd. and paid money for the same to the Home Trade Ltd.. The said Home Trade again issued bills and invoices for the said transaction, but failed to deliver the Government Securities. Thus the funds were finally, diverted to the different account of home Trade in UTI Bank, HDFC Bank, Janta Sahakari Bank & other Banks.

During the course of further investigation it is revealed that, money paid by the complainant and others was finally diverted to the Banks accounts of Home Trade Ltd. and Mr. Ketan Kantilal Sheth is the common Director of the both companies. The below mentioned Directors of GMSL and Home Trade were arrested in this case and they are on bail.

1. Ketan Kantilal Sheth (Main Director of GMSL).
2. Sanjay Hariram Agrawal (Director Home Trade)
3. Subodhchand Dayalchand Bhandari (Voice President H.T).
4. Nandkishore Shankarlal Trivedi (Director H.T.)

During investigation it is revealed that, the complainant paid GMSL by cheques. The said money was deposited in the b/m bank accounts of GMSL and siphoned to the various Bank accounts of Home Trade Ltd. Hence the 20 accounts of GMSL and Home Trade Ltd. have been frozen and statements of account have been obtained.



- 165 -

(22)

Total amount freezed is Rs 13,91,070/-. The most of the account of GMSL and Home Trade were already freezed different Investigation Agencies (CBI & State CID, Crime, Maharashtra). The office of the Home Trade was already sealed by State CID, Nagpur. The particulars of all accounts have been taken on the record. The contract bills of the all transactions between GMSL and Home Trade have been taken in possession. The form No. 32 & 29 are obtained from the Registrar of the Companies. Report of RBI Registration as NBFC of GMSL is obtained from RBI. Also report of registration of Home Trade & GMSL from SEBI are obtained.

As there is sufficient evidence against the above mentioned arrested accused persons. The separate charge is prepared on separate sheet of paper and appended with the charge sheet.

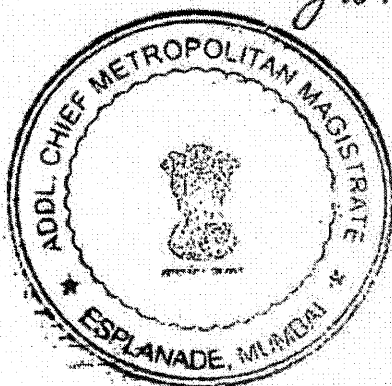
15. Refer Notice Served..... Yes/ No..... Date.....
(Acknowledgement to be placed).

16. Dispatched On.....

[Signature] 2/6/07
Forwarded by Station House
Officer / Officer in charge
Name:- Vasant Dhoble.
Rank:- Sr. Inspector of Police
Economic Offences Wing,
Crime Branch, CID, Mumbai.

[Signature] 2/6/07
Signature of the Investigating Officer/
submitting the Final Report / Charge Sheet.
Name:- P. B. Loke.
Rank:- Inspector of Police,
Economic Offences Wing,
Crime Branch, CID, Mumbai.

order
I.O. Present of filed charge-sheet
today.
Cognizance for the alleged offence
where- 409, 420, 34 of I.P.C. is charged
against A.NOs- 1 to 4.



[Signature]
RCM 19th CO
12/06/07

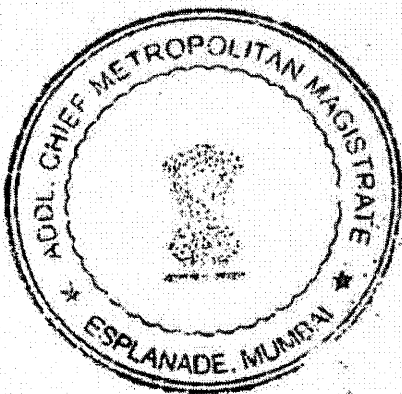
30

6

Advt received from H&B
H&B coal in CR. ADK 10.
624/2014 BDC/MO CR 060788/15
dtd 27/11/2015

The H&B H&B coal continue
the ad interim order till 3/12/15
Discrepancies of H&B H&B coal are
noted. Copy of the said kept
in record

Aemmm
01/12/2015



- 167 -

"CHARGE"
ECONOMIC OFFENCES WING,
CRIME BRANCH, C.I.D., MUMBAI
C.R.NO.13/05,

U/SEC. 409, 420, 34 IPC
(SANTACRUZ POLICE STATION, C.R.NO.83/05)

NAME OF THE ACCUSED:- 1) Ketan Kantilal Sheth.
2) Sanjay Hariram Agarwal.
3) Nandkishore Shankarlal Trivedi.
4) Subodhchand Dayalchand Bhandari.

FIRSTLY:-

That the above mentioned arrested accused No. 1 to 4 during the period from November 2001 to 03 April, 2002 at Office of the Giltedge Management Services Ltd., 103, Liberty Apartment, Sarojani Raod, Vileparle (West), Mumbai-400 056 and Home Trade Ltd., InfoTech Park, above Vashi Railway Station, Vashi, Navi-Mumbai in furtherance of their common intention being entrusted with the property to wit amount of Rs. 92,95,096/- in the capacity of broker committed criminal breach of trust in respect of said property and thereby committed an offence punishable under section 409 r/w. 34 of IPC.



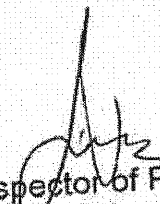
Contd.:2.

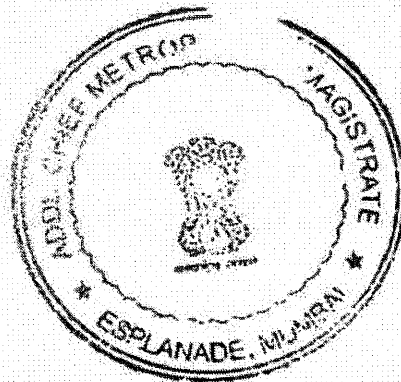
:2:

(34)

Lastly:-

That the aforesaid accused persons on the aforesaid date, time and place in furtherance to their common intention induced complainant & Witnesses to part with property to wit amount of Rs. 92,95,096/- under pretext of giving Government Securities & there by cheated the complainant & witnesses and thereby committed an offence punishable under section 420 r/w 34 of IPC.


Inspector of Police,
Economic Offences Wing,
Unit-I, Crime Branch,
C.I.D., Mumbai.



CC No 412/Pwlo 2

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FORM 5-A

FINAL REPORT FORM

(Under section 173 of Cr. P.C.)

IN THE COURT OF LD. ADDL. CHIEF METROPOLITAN MAGISTRATE
19TH COURT, ESPLANADE, MUMBAI.

33

1. Dist: Mumbai:- Santacruz Police Station, Year 2005 FIR No. 83/05 Date:- 17-02/2005
(Economic Offences Wing, C.B., C.I.D., Mumbai C.R.No.13/05)

2. Final Report/Charge sheet No 3. Date:-.....

4. (i) Act I.P.C. Sec:- 409, 420, 34

(ii) Act: Sec.

(iii) Act:..... Sec.....

5. Type of Final Form/Report:- Main Charge Sheet.

6. If F.R. Unoccured:

7. If charge Sheeted:- Main.

8. Name of the I.O. P. B. Loke Rank:- Police Inspector No.....

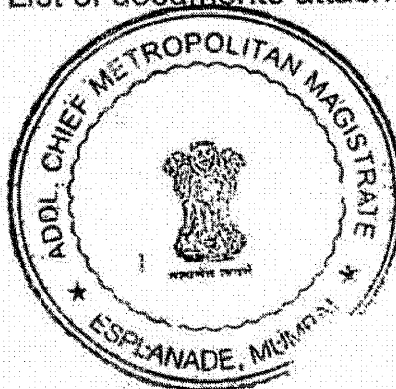
9. (a) Name of the complainant:- Shri. Sudhir Bipinchandra Shah.

(b) Father's name :- Shri. Bipinchandra Shah.

10. Details of Properties/ Articles/ Documents recovered/ seized during investigation and
relied upon:

Sr. No.	Property Description	Estimated value	P.S. Property Register No.	From Whom recovered	Disposal
1.	2.	3.	4.	5.	6.

Separate List of documents attached.



11. Particulars of accused person charge sheeted:-

(i) Name :- Ketan Kantilal Sheth..

Whether verified:... Yes

(ii) Father's Name:- Kantilal Sheth.

(iii) Date/Year of Birth:- 30/12/1962.

(iv) Sex:...Male.....(v) Nationality:-...Indian...

(vi) Passport No...-----, Date of Issue...-----, Place of Issue -----

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:...Service (Share Broker).

(x) Address:- 193, Lalit Kutir Co-operative Housing Society,
Gulmohar Cross Road No.9,
Andheri (West), Mumbai.

Whether verified:- Yes.

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:...21/07/2005

(xiv) Date of release on Bail:... 26/07/2005.

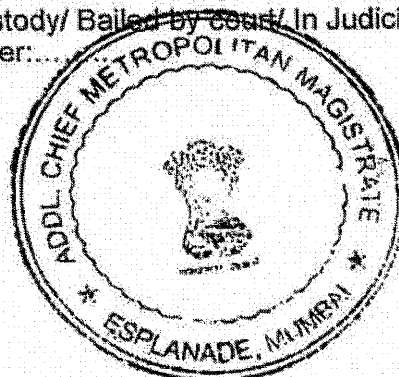
(xv) Date on which forwarded to court.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address:- Mrs. Heenaben Harshadbhai
Dave, H-38 Yrs. Residing at A/38, Pushpa Park,
S.V.Road, Borivali (West), Mumbai:- 400 092.

(xviii) Previous convictions with reference:.....

(xix) Status of the accused :... on Bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:...

FORM 5-B

35

11. Particulars of accused person charge sheeted:-

(i) Name :- Sanjay Hariram Agarwal.

Whether verified:.... Yes

(ii) Father's Name:- Hariram Agarwal.

(iii) Date/Year of Birth:- 30/12/1966.

(iv) Sex:....Male.....(v) Nationality:-...Indian...

(vi) Passport No....., Date of Issue....., Place of Issue

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:....Business

(x) Address:- 7, Harisabha Street, Khiderpur Street, Kolkatta-23.

Whether verified:- Yes.

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:....24/03/2006

(xiv) Date of release on Bail:....27/03/2006.

(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address.

Shri. Mohd. Shabbir Miya Mohammad Munshi.

Residing at Ward No.2, Sathi Serve No. 2847, Kadar Ajijs
Street, Sangram Pura, Surat, Gujrat.

(xviii) Status of the accused :... on bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:.....

11. Particulars of accused person charge sheeted:-

(i) Name :- Nandkishore Shankarlal Trivedi.

Whether verified:.... Yes

(ii) Father's Name:- Shankarlal Trivedi.

(iii) Date/Year of Birth:- 02/07/1967..

(iv) Sex:....Male.....(v) Nationality:-...Indian...

(vi) Passport No..... Date of Issue..... Place of Issue

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:....Business.

(x) Address:- 3/A , Pushpam, K.D.Road, Vile Parle (West), Mumbai.

Whether verified:- Yes.

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:....24/11/2005

(xiv) Date of release on Bail:....28/11/2005.

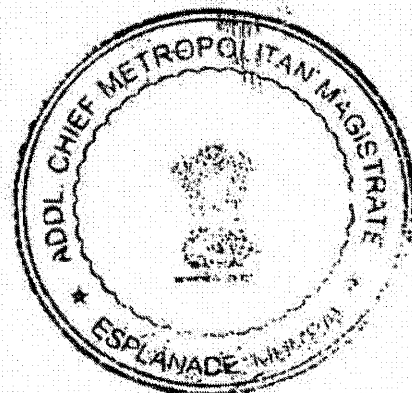
(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address. (Cash Bail).

(xviii) Status of the accused :.... on bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:.....



37

11. Particulars of accused person charge sheeted:-

(i) Name :- Subodhchand Dayalchand Bhandari.

Whether verified:.... Yes

(ii) Father's Name:- Dayalchand Bhandari.

(iii) Date/Year of Birth:- 04/09/1965..

(iv) Sex:....Male.....(v) Nationality:-...Indian...

(vi) Passport No...----- Date of Issue...----- Place of Issue -----

(vii) Religion:- Hindu (viii) whether :.....

(ix) Occupation:....Business.

(x) Address:- Gulab View Society, Near Basant Cinema,
Chembur (East), Mumbai.

Whether verified:- Yes.

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest:....09/01/2006

(xiv) Date of release on Bail:....16/01/2006.

(xv) Date on which forwarded to court:.....

(xvi) Under Acts and Sections:- 409, 420, 34 IPC

(xvii) Name(s) of Bailers/ sureties and Address. (Cash Bail)

(xviii) Status of the accused :.... on bail.

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:.....

12. Particulars of accused person not Charge sheeted (Suspect):-

38

(i) Name :-....

Whether verified:.....

(ii) Father's Name:....

(iii) Date/Year of Birth:-----

(iv) Sex:.... (v) Nationality:-.....

(vi) Passport No.....Date of Issue.....Place of Issue.....

(vii) Religion:.... (viii) whether SC/ST:.....

(ix) Occupation:-----

(x) Address:-

Whether verified:.....

(xi) Provisional Criminal No.:.....

(xii) Suspicion Approved: Yes / No

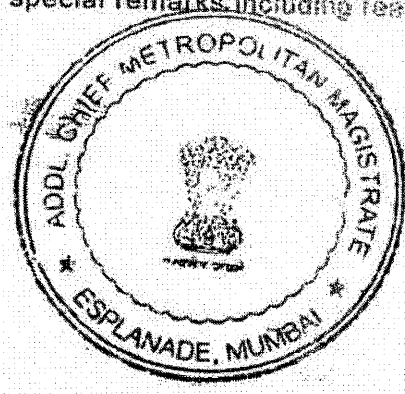
(xiii) Status of the accused (Suspect).....

(Bailed by Police / Bailed by Court / In Judicial Custody / Absconding /

Proclaimed Offender / Not arrested).....

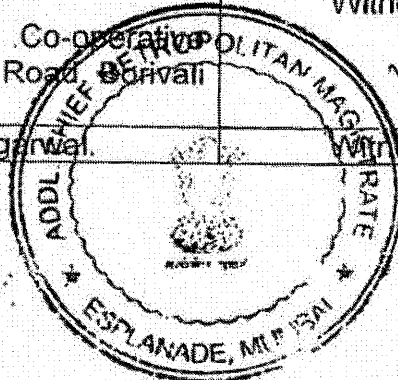
(xiv) Under Acts and Sections:

(xv) Any special remarks including reasons for not charge sheeting



13. Particulars of witnesses to be examined.

Sr. No.	Name of the Witness	Particular
01 PW-1	Shri. Sudhir Bipinchandra Shah. B/307, Shrinath Apartment, S.V.P.Road, Borivali (West), Mumbai-92.	Complainant SS 20/9/23
02	Shri. Kaushal Kamal Kailash. B-108, Front View Co-operative Society, Phase-II, P.P.Marg, Virar (West), Dist:- Thane.	Witness SS 11/12/24
03 PW-2	Shri. Prakash Sadashiv Sawant. Sahakar Ramnagar, Chawl No. 1/7, Chhatrapati Shivaji Marg, Santacruz (East), Mumbai-400 055.	Witness SS 25/9/23 08/11/23
04	Shri. Vilas Visharam Jadhav. D-5/19, Runwal Nagar, Kolbad, Thane (West).	Witness SS 11/12/24
05 PW-1	Shri. Nihal Jayendra Gandhi. Shyam Niwas, 1 st Floor, Bhulabhai Desai Road, Mumbai-400 026.	Witness SS 21/10/23
06 PW-1	Shri. Bhagatsingh Bijaysingh Ailsingani. 402, Krishna, St. Anthony Road, Kalina, Santacruz (East), Mumbai.	Witness SS 31/12/24 SS 21/10/23 SS 11/12/24
07 PW-3 PW-3	Shri. Atul Balmukund Oza. B/708, Rajumang, No2, Shiv Vallabh Road Cross Road, Ashokvan, Dahisar (East) Mumbai.	Witness SS 11/12/23
08 PW-7	Mrs. Heenaben Harshadrai Dave. A/38, Pushpa Park, S.V.Road, Borivali (West), Mumbai-400 092.	Witness SS 31/12/24 SS 11/12/23 SS 11/12/24
09 PW-1	Miss. Bina Navneetbhai Sanghavi. B/406, Amrut Apartment, Irani Wadi, Dahisar (West), Mumbai.	Witness SS 31/12/24 SS 11/12/23 SS 11/12/23
10	Shri. J. P. Ravetkar. C/o. 1444, Shukrawar Peth, Thorale Bajirao Road, Pune.	Witness SS 31/12/24
11 PW-6	Smt. Chitra Abyankar. Officer of HDFC Bank, Manekji Wadia Building, Nanik Motwani Marg, Fort, Mumbai.	Witness SS 6/12/23 SS 29/12/23
12	Shri. Salil Dinkarlal Gandhi, R/O A/11/13, Gold Coin, Co-Op Housing Society, tardeo, Opp. Cross Road, Mumbai.	Witness SS 31/12/24 SS 06/12/23 SS 29/12/24
13 PW-1	Shri. Vijay H. Modi. A/203, Borivali Amita Co-operative Housing Society, Kulupwadi Road, Borivali (East), Mumbai.	Witness SS 31/12/24 SS 06/12/23
14	Shri. Mahendra Radheshyam Agarwal.	Witness

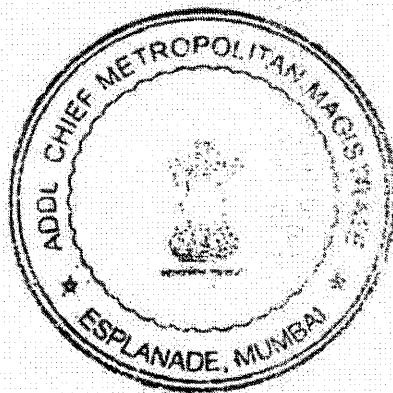


- 176 -

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(3A)

	2-J, Judges Court Road, Kolkotta-700 027.	
15	Shri. Shriprakash Poddar. R-11, Devendra Dutta Lane, Posta, Kolkotta.	Witness LSS 31/12/24
16	Shri. Amit Kantilal Sheth. 12/224, Juhu Sheetal, Samarath Ramdas Marg, JVPD Scheme, Vile Parle (West), Mumbai-49.	Witness LSS 21/12/23
17	Shri. Apporva Labhabhai Sanghavi. 5. Karim Manar, Krishna Sangli Road, Gamdevi, Mumbai-400 007.	Witness LSS 21/12/23
	Government Witnesses	
18	H.C.- 7769, EOW, CB, CID, Mumbai.	Witness
19	H.C.-19949, EOW, CB, CID, Mumbai.	Witness
20	H.C. 22775, EOW, CB, CID, Mumbai	Witness
21	PSI Vilas Suryavanshi, Santacruz Pstr.	Witness LSS 31/12/24
22	PI P.B. Loke, EOW, CB, CID, Mumbai.	I.O. N.S. 11/12/24



41

FORM 5-E

14. Brief facts of the Case (Add separate sheet , if necessary):-

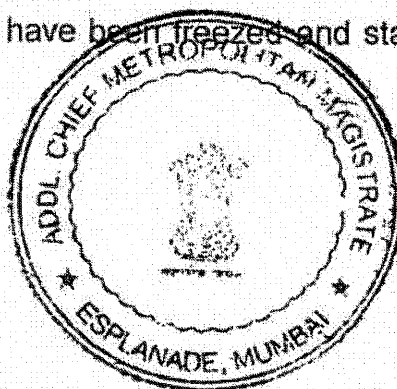
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2. Sanjay Hariram Agrawal (Director Home Trade)
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4. Nandkishore Shankarlal Trivedi (Director H.T.)

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Total amount freezed is Rs 13,91,070/-. The most of the account of GMSL and Home Trade were already freezed different Investigation Agencies (CBI & State CID, Crime, Maharashtra). The office of the Home Trade was already sealed by State CID, Nagpur. The particulars of all accounts have been taken on the record. The contract bills of the all transactions between GMSL and Home Trade have been taken in possession. The form No. 32 & 29 are obtained from the Registrar of the Companies. Report of RBI Registration as NBFC of GMSL is obtained from RBI. Also report of registration of Home Trade & GMSL from SEBI are obtained.

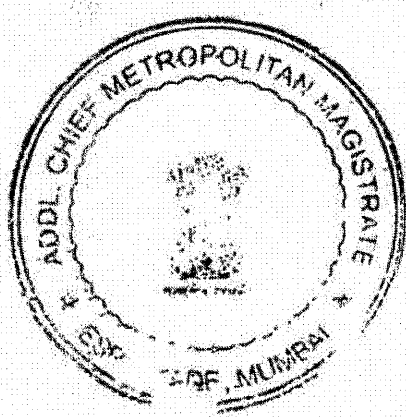
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15. Refer Notice Served..... Yes/ No..... Date.....
(Acknowledgement to be placed).

16. Dispatched On..... 12/05/07.....

Vasant Dhoble 2/6/07
Forwarded by Station House
Officer / Officer in charge
Name:- Vasant Dhoble.
Rank:- Sr. Inspector of Police
Economic Offences Wing,
Crime Branch, CID, Mumbai.

P. B. Loke
Signature of the Investigating Officer/
submitting the Final Report / Charge Sheet.
Name:- P. B. Loke.
Rank:- Inspector of Police,
Economic Offences Wing,
Crime Branch, CID, Mumbai.



"CHARGE"
ECONOMIC OFFENCES WING,
CRIME BRANCH, C.I.D., MUMBAI
C.R.NO.13/05,
U/SEC. 409, 420, 34 IPC
(SANTACRUZ POLICE STATION, C.R.NO.83/05)

- NAME OF THE ACCUSED:-
- 1) Ketan Kantilal Sheth.
 - 2) Sanjay Hariram Agarwal.
 - 3) Nandkishore Shankarlal Trivedi.
 - 4) Subodhchand Dayalchand Bhandari.

FIRSTLY:-

That the above mentioned arrested accused No. 1 to 4 during the period from November 2001 to 03 April, 2002 at Office of the Giltedge Management Services Ltd., 103, Liberty Apartment, Sarojani Raod, Vileparle (West), Mumbai-400 056 and Home Trade Ltd., InfoTech Park, above Vashi Railway Station, Vashi, Navi-Mumbai in furtherance of their common intention being entrusted with the property to wit amount of Rs1,92,95,096/- in the capacity of broker committed criminal breach of trust in respect of said property and thereby committed an offence punishable under section 409 r/w. 34 of IPC.

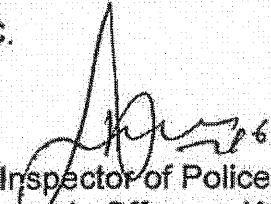


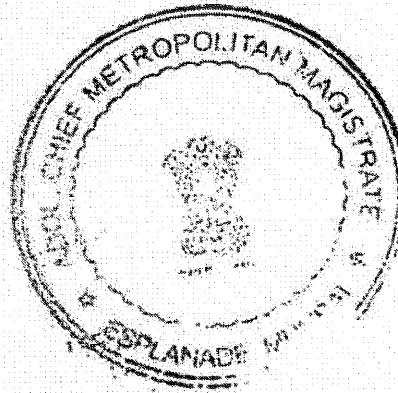
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44

Lastly:-

That the aforesaid accused persons on the aforesaid date, time and place in furtherance to their common intention induced complainant & Witnesses to part with property to wit amount of Rs.1,92,95,096/- under pretext of giving Government Securities & there by cheated the complainant & witnesses and thereby committed an offence punishable under section 420 r/w 34 of IPC.


Inspector of Police,
Economic Offences Wing,
Unit-I, Crime Branch,
C.I.D., Mumbai.



FIRST INFORMATION REPORT

Form : 1-A

प्रहिली खबर

No 394303

(Under Section 154 Cr.P.C.)

(फौजदारी प्रक्रिया संहिताच्या कलम १५४ अन्वये)

Exb. 113

21/2/24

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- *Dist मुंबई *P.S. पोलीस ठाणे सोलापूर *Year २००५ *FIR No. ५३ *Date १६/२/०५
जिल्हा पोलीस ठाणे पोलीस ठाणे वर्ष पहिली खबर क्र तारीख
- (i) *Act: आ.ड.कि. *Sections: २०९, ३४
अधिनियम कलमे

(ii) *Act: — *Sections: —
अधिनियम कलमे

(iii) *Act: — *Sections: —
अधिनियम कलमे

(iv) *Other Acts & Sections: —
इतर अधिनियम व कलमे
- (a) *Occurrence of Offence: अप्रराधाची घटना *Day: वार *Date From: १०/२/२००५ *Date To: १०/२/२००५
वेळेचा अवधी पासून तारीख पासून तारीख

*Time Period: वेळेचा अवधी *Time From: पासून *Time To: पर्यंत
वेळ पासून वेळ

(b) Information received at P.S. Date: १०/२/०५ *Time: १५.०० वा.
पोलीस ठाण्यावर माहिती मिळाल्याची तारीख वेळ

(c) General Diary Reference Entry No(s): ३९/०५ *Time: १५.०० वा.
सर्व साधारण रोजनिशीचा संदर्भ क्र. वेळ
- Type of Information: लेखी *Written / Oral: लेखी / लेखी
माहितीचा प्रकार लेखी / लेखी
- Place of Occurrence: (a) *Direction and Distance from P.S.: १९९ *Beat No.: ३
घटनेचे ठिकाण पोलीस ठाणे पासून दिशा व अंतर मीटर गस्तसंख्या क्र.

(b) *Address: मे. गिन्टेश मॅनेजमेंट अफिशियल लि.: ये कार्यालय
पत्ता १०३, लिखरी कपारिमेंट, राजीव रोड, विठ्ठल (५) डे. ५६

(c) In case outside limit of this Police Station, then the
या पोलीस ठाण्याच्या हद्दीच्या बाहेर असल्यास, त्या पोलीस ठाण्याचे नाव
Name of P.S.: सोलापूर Dist: मुंबई
पोलीस ठाणे जिल्हा
- Complainant / Informant: तक्रारदार / खबरी

(a) Name: आ. विठ्ठल बापूराव शहा *Father's / Husband's Name: विठ्ठल शहा
नाव पिताचे / पतीचे नाव

(b) Date / Year of Birth: १०/२/१९५० (d) Nationality: भारतीय
जन्म तारीख / वर्ष राष्ट्रीयत्व

(e) Passport No.: — Date of Issue: — Place of Issue: —
पासपत्र क्र. दिव्याची तारीख दिव्याचे ठिकाण

(f) Occupation: गोवर्त
व्यवसाय

(g) Address: डी/३०५, डीगाथ, कपारिमेंट, एच. व्ही. पी. रोड
पत्ता बसिवली (५), मुंबई - ४२



(46)
श्री. सुधीर विपिनचंद्र शहा. ठि. पठनार्थ यांचा पोलीस पी.
बो. लेके, आर्थिक गुन्हे विभाग, यांची द्यालेल्या जबाब द्या
प्रथम खबर समजून गुन्हा दाखल करवावा आला.

आता

आता

सहायक पोलीस निरीक्षक

आता पोलीस ठाणे

गुन्हे

18 FEB 2005

18 FEB 2005



8. Reasons for delay in reporting by the Complainant/Informant :
तक्रारदाराने/खबर्याने तक्रार करण्यातील विलंबाची कारणे :

प्राथमिक चौकशीसाठी जुद्धा दाखल

9. Particulars of properties stolen / involved (Attach separate sheet if necessary) :
चोरीस गेलेल्या/अंतर्भूत मालमत्तेचा तपशील (आवश्यक असल्यास स्वतंत्र कागद जोडावा)

सरकारी कर्ज रोखे

10. *Total value of properties stolen / involved :
चोरीस गेलेल्या/अंतर्भूत मालमत्तेचे एकूण मूल्य :

34,64,394/-

रुपये

11. *Inquest Report / U.D. Case No., if any :
मरणान्वेषण अहवाल/यु.डी.प्रकरण क्र., जर असल्यास :

12. F.I.R. Contents (Attach separate sheets, if required) :
पहिल्या खबरीतील हकीकत (आवश्यक असल्यास स्वतंत्र कागद जोडावेत) :

यातील नमूद तारीख, वेळी व ठिकाणी यातील झोटापी इत्यादी सोपानास करून फि"च्या मध्यातलाळ कें.च्या तपकांडीक 282 काडून सरकारी रोखे खबरेदी करण्याकरीता स्वयंम हु 34,64,394/- खिचकाऊन फि"स कर्ज रोखे न देता झाल्याने विश्वासघात कोण म्हणून जमाना ठर 28 जादंजि पुताने जुद्धा मोंड

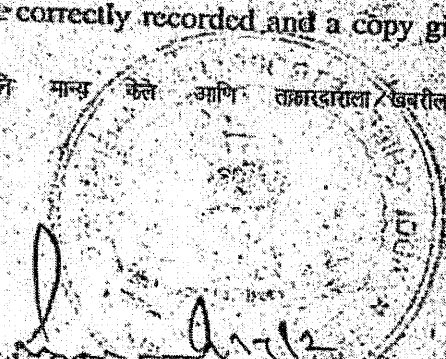
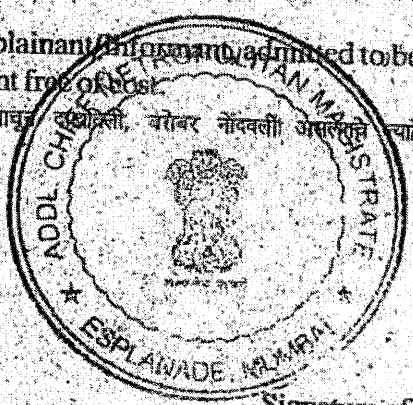
13. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at Item No.2., registered the case and took up investigation/directed*

investigation/transferred to P.S. to take up the investigation/Refused on point of jurisdiction.

केलेली कार्यवाही : बाबु क्र.2 मध्ये नमूद केलेल्या गुन्ह्याचे तपसास घडल्याचे वरील अडकलावून दिसून आल्यामुळे प्रकरण नोंदवले आणि तपासाचे काम हाती घेतले. दिनांक 28/05/2014 सुय्यवकी पदनाम सपोनि यांना तपासाचे काम हाती घेण्याचा निर्देश दिला/तपास करण्याचे नाकारले/अधिकारित्व्या मुद्दावर सपोनि पोलीस ठाण्याकडे हस्तांतरित केले.

F.I.R. read over to the Complainant/Informant and admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

पहिली खबर तक्रारदाराला/खबरीला वाचून दाखविली, बरोबर नोंदवली असल्याचे त्याने मान्य केले आणि तक्रारदाराला/खबरीला प्रत मोफत दिली.



14. Signature/Thumb impression of the Complainant/Informant.
तक्रारदाराची/खबरीची सही/जंगड्याचा ठसा

S. S. Shah

Signature of the Office in-charge, Police Station
पोलीस ठाण्याच्या प्रभारी अधिकार्याची सही

*Name: विठ्ठल सुय्यवकी

*Rank: सपोनि

No: क्रमांक

15. Date & Time of despatch to the court:
कोर्टात पाठविल्याची तारीख व वेळ

9/2/04

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(5)

Form: 1-B

No: 894303

Details of known / suspected / unknown accused with full particulars :

माहित असलेल्या / संशयीत / माहित नसलेल्या आरोपीचा संपूर्ण तपशील :

(Attach separate sheet if necessary)

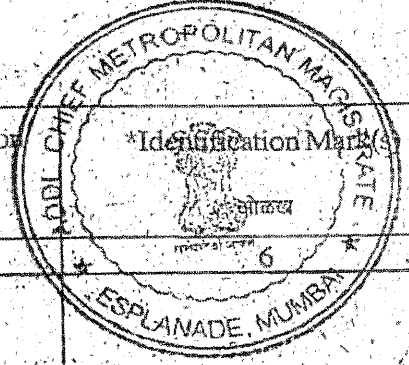
(आवश्यक असल्यास स्वतंत्र कागद जोडावा)

गिफ्ट्स मॅनेजमेंट सर्व्हिसेस लि. चे संचालक
काग के. वेर व शार

Physical features, deformities and other details of the suspect :

संशयीताची शारीरिक वैशिष्ट्ये, व्यंग आणि इतर तपशील :

*Sex लिंग	*Date / Year of Birth जन्मतारीख / वर्ष	*Build बोधा	*Height in Cms. उंची (से.मी.मध्ये)	*Complexion वर्ण	*Identification Mark(s) ओळख
1	2	3	4	5	6



*Deformities/Peculiarities व्यंग / वैशिष्ट्ये	*Teeth दात	*Hair केस	*Eye आंख	*Habit(s) सवयी	*Dress Habits पोशाखाच्या सवयी
7	8	9	10	11	12

*Languages/Dialect भाषा / बोली भाषा	PLACE OF				
	*Burn Mark भाजल्याची छूण	*Leucoderma कोड	*Mole तीळ	*Scar दग	*Tattoo गोंदण
13	14	15	16	17	18

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect. This will be used only for the purpose of preliminary retrieval to assist I.O.

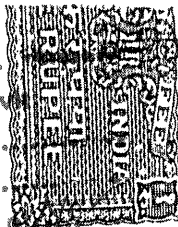
जर तक्रारदार / खबरीने संशयीत बद्दल बरील किंवा अधिक रकान्यातील माहिती दिली तरच भरावी. तपास अधिकाऱ्याने प्राथमिक पातळीवर तपास करण्यासाठी बरील माहिती उपयोगात आणावी.

A database created will subsequently link one suspect in several cases; if any.

या अनुषंगाने तयार झालेल्या माहितीचा उपयोग संशयीताचा इतर गुन्ह्यांतील सुरुवात स्पष्ट करेल.

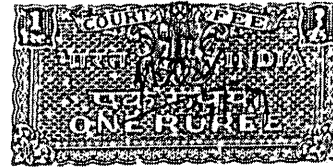
A comprehensive and complete data on all fields will again be prepared when any accused is arrested irrespective of previous suspicion. बरील रकान्यातील संपूर्ण माहिती ज्यावेळी संशयीतास अटक करण्यात येईल त्यावेळी पुनःच तयार करावी.

Annexure - 0
In the Pleading / Affidavit
Affirmed by A. Roy
On the by
On the 8th Day of
20.11.05



Before me

Commissioner



Annexure - "0"

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19.9.16

19.9.16

19.9.16

21.9.16

21-9-16

BARUAPUR
WB Bengal

Ptn.No.327/06.

In the Court of Ld.A.C.J.M., Baruipur, Dist: South 24-Parganas.

Ref: Sonarpur P.S.Case No.177(6)2002 dt.19.6.02
U/S. 406/420/1209 I.P.C.

BGR No.2053/2002

State

- Versus -

Sanjay Agarwal & Otrs.....Acc-ds.

In the Court of Ld.S.D.J.M., Alipore, Dist: South 24-Parganas.

Order dated 05.5.2003

Accds. (1) Sanjoy Agarwal (B) is in J/C since
15.3.03, (2) Subodh Bhandari (B) is in J/C 15.3.03.

To 19.5.03.

Seen the prayer of I/O prays for issue W/A against
accds. remaining absconding F.I.R. named accds.

I/O is directed to report prayer mentioning the
name of accds. for consideration.

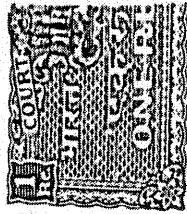
Hd. prayer for bail. C/D is produced. But C/S not
submitted though statutory period of detention is over.
Hence, this accd. may ^{in find} ~~fixed~~ bail of Rs.2000/- each with two
sureties of Rs.1000/- each i.d. to J/C till date.

Ld. Advocate for defence prays for sending this
accd. to State of Gujrat as this accd. is implicated there
in some case. Considered and Spdt. of Jail is directed

Contd..P/2.

18 NOV 2005

CALCUTTA



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to act as per Jail Code (torn) ^{is wanted.} ...acted in (torn)...(torn)
West Bengal (torn)...(torn).

Later
05.5.03

Bail bond furnished by the surety (1) Mohanta Ch.
Midya, (2) Arun Banerjee on behalf of accd. Subodh Bhandari
only.

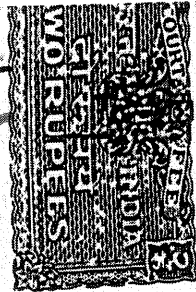
Bond is accepted.

Sd/- Illegible.

Typed by :-

^{ad}
21.9.06

BAIL - Barrackpur



Date of application for the copy	Date for fixed for notifying the requisite number of Stamps and follos	Date of delivery of the requisite stamps and follos	Date on which the copy was ready for delivery	Date of making over the copy to the applicant
20/9/06	20/9/06	20/9/06	20/9/06	20/9/06

3721/06

G.R.2079/02.

In the court of the Ld. Addl. Chief Judicial Magistrate, Barrackpur, North 24 pgs.

Jagatddal P.S. case no.298, dt. 22.8.02.

u/s 420/406/1203 of IpC.

State -vs- Ketan seth & ors.

or. Dtd. 25.4.2003 :

C.R. is put up. Bail petn. file for accused Sanjoy Agarwal.

Hd. It appears that accused was shown arrested in this case on 04.1.2003 and he was produced here on 25.2.2003.

And this day no charge sheet. Hence, he may find bail of Rs.5000/- with two sureties of Rs.2500/- each with condition to appear before the court regularly during trial.

sd/- S.Bhattacharjee
A.C.J.M., Bkpur.

Typed by :

20.9.06

Sumit Dutta
20/9/06
Composing Clerk
A.C.J.M'S Court
Barrackpore,
(N) 24 Pgs.

verified to be a true copy

Shibani Ruchey
Head Composing Clerk
A.C.J.M'S Court
Barrackpore,
(N) 24 Pgs. 20/9/06

FINAL REPORT FORM

Annexure "P"

(Under section 173 of Cr. P.C.)

IN THE COURT OF LD. ADDL. CHIEF METROPOLITAN MAGISTRATE
19th COURT, ESPLANADE, MUMBAI.

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Dist. Mumbai P.S. L.T. Marg Year 2002 FIR No. 81/2002 Date: 16/05/2002

(GB CB CID, Mumbai C.R. No. 53/2002)

Final Report/Charge sheet No. **EDW-1** Date: **16/05/2002**

(i) Act: Indian Penal Code Sec. 120(B), 420, 409, of IPC.

(ii) Act: Sec.

(iii) Act: Sec.

Type of Final Form/Report: ~~Chargesheet~~ / Not chargesheeted for want of evidence / FR undetected / FR Untraced / FR offence abated / FR Unoccured: **Chargesheeted**

If F.S. Unoccured: False/Mistake of fact/Mistake of Law/ Non-cognizable/ Civil Nature

Charge Sheeted: Original/ supplementary.

Name of the I.O. **Rajan Kaddare Rank Inspector of Police** No.

Name of the complainant: **Shri. Vilas Rajaram Kulkarni**

(iv) Father's name

the Pleading / Affidavit
Affirmed by **A. R. Roy**
On the **15** Day of **May**
2002

R.C NO. 324/01
CHARGESHEET
MUMBAI 2002

324/2002
CT MARG

HIGH COURT, ORIGINAL SIDE
18 MAY 2002
CALCUTTA

11. Particulars of accused person Charge sheeted:-

(i) Name *Ms Kanan Vasant Mewawala*

Whether verified: - yes

(ii) Father's Name: *Vasant Mewawala*.(iii) Date/Year of Birth: - *25/10/1975*.(iv) Sex: - *female* . (v) Nationality: - *Indian*

(vi) Passport No..... Date of Issue..... Place of Issue.....

(vii) Religion: - *Hindu* (viii) whether SC/ST: -(ix) Occupation: *Service*.Address: *27 B, Jayant Mahal, D. Road, Marine Drive, Mumbai 20.*

Whether verified: - yes

(x) Provisional Criminal No.:

(xi) Regular Criminal No.:

(xii) Date of :- *05/06/2002*.(xiv) Date of release on Bail: ... *12/06/2002*.(xv) Date on which forwarded to court: - *06/06/2002*(xvi) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*

(xvii) Name(s) of Bailers/ sureties and Address: ... on bail

(xviii) Previous convictions with reference:

(xix) Status of the accused : *on bail*

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:

Particulars of accused person Charge sheeted:-

(i) Name : *Ketan Kantilal Sheth*

Whether verified: :- *yes*

(ii) Father's Name: *kantilal Sheth*

(iii) Date/Year of Birth:- *30/12/1962*

(iv) Sex: :- *male* (v) Nationality:- *Indian*

(vi) Passport No.....Date of Issue.....Place of Issue.....

(vii) Religion:- *Hindu* (viii) whether SC/ST:-

(ix) Occupation: *Business*

Address... *193, lalit Kutir CoOp. HSG society, Gulmohar Cross Road no. 9, JVPD Shceme, Andheri (W), Mumbai 400049.*

Whether verified:- *yes*

(xi) Provisional Criminal No.:.....

(xii) Regular Criminal No.:.....

(xiii) Date of arrest: :- *27/05/2002.*

(xiv) Date of release on Bail:...in Judicial custody.

(xv) Date on which forwarded to court:- *28/05/2002*

(xvi) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*

(xvii) Name(s) of Bailers/ sureties and Address: ...in JC

(xviii) Previous convictions with reference:.....

(xix) Status of the accused : *bail granted but not availed so IN JUDICIAL CUSTODY*

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:.....

11. Particulars of accused person Charge sheeted:-

(i) Name : *Sanjay Hariram Agarwal.*

Whether verified: :- yes

(ii) Father's Name: *Hariram Agarwal.*

(iii) Date/Year of Birth:- *13/02/1965.*

(iv) Sex: :- male (v) Nationality:- *Indian*

(vi) Passport No..... Date of Issue..... Place of Issue.....

(vii) Religion:- *Hindu* (viii) whether SC/ST:-

(ix) Occupation: *Business*

Address... *R/o. 702, 7th floor, Kusum Apartments, sector 17, Vashi,,
Navi Mumbai. P/A :- 7, Hariseva Street, Kaddarpore, Kolkata*

Whether verified:- yes

(x) Provisional Criminal No.

(xi) Regular Criminal No.

(xii) Date of arrest: :- *02/08/2002*

(xiii) Date of release on Bail: ... In Judicial custody.

(xiv) Date on which forwarded to court:- *03/08/2002*

(xv) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*

(xvi) Name(s) of Bailers/ sureties and Address: ...in JC

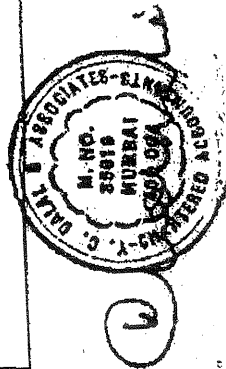
(xvii) Previous convictions with reference:

(xix) Status of the accused : *IN JUDICIAL CUSTODY*
Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:

"1 to 11 in Column " B " represents the break up of Nos 1 to 11 in Column " A "

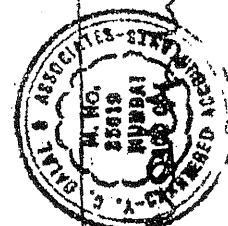
" in Column (A) represents the Final payment.

Ch No.	Amt Rs.	Payer	Receiver	No. A	No. B	Amt Rs.	Purpose of Payment	Bank & A/c No
00 PQ 95962	4,00,62,000	RCBL	HTL (HDFC Bank - 7011)	1	1	4,00,62,000	Recd to purchase 10.95% CG 2011 securities. F.V - Rs. 4 Crores	HDFC Bank - 7011
00		HTL -HB	HDFC Bank	*	1	73,19,166	10% Margin money paid for taking of Rs. 4.51 crores for buying 11.40% GOI 2000 Securities on	
00		HTL -HB	HDFC Bank	*	1	73,35,000	25.8.00 amounting to Rs. 5.24 crores	
00		HTL -HB	HTL (JSBL -2364)	2	1	20,00,000	10% Margin money paid for taking of Rs. 4.51 crores for buying 11.40% GOI 2000 Securities on	JSBL -2364
00 496027		HTL -HB	E-space Technologies	*	2	25,00,000		JSBL -2515
00 857974		HTL -JB	Dalhousie Securities (JSBL -2515)	3	1	2,00,00,000	Used to clear Over Draft Balance	JSBL -1295
00 496028		HTL -HB	Ketan Sheth & Co (JSBL -1295)	*	3	2,00,00,000		
00 845535		Dal -JB	Panchsheel Merchandise	*	1	4,75,000		
00 496029		HTL -HB	Sourabh Stock Broking	*	1	11,00,000	Appropriated towards loan repayment for purchase of securities.	
00 496030		HTL -HB	HDFC Bank	*	1	13,00,000		
	4,00,62,000					4,00,29,166		
01 PO 95726	2,20,04,722	RCBL	HTL (HDFC Bank - 7011)	1	1	2,20,04,722	Recd to Purchase 12.05% CG 2004 Securities F.V - Rs. 2 Cfs.	HDFC Bank - 7011
01 111466		HTL -HB	RCBL	*	1	2,19,87,250	Pd to RCBL as sale consideration of 10.95% CG 2011 Securities which were purchased on 8.5.01	Nariman Point
	2,20,04,722					2,19,87,250		



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Cr. Unit	PO	RCBL	Server	No A	No B	Amt Rs.	Purpose of Payment	Bank & A/c No
10.5.01	PO 95727	RCBL	HTL (ICICI Bank - 604)	1		2,20,69,444	Recd to Purchase 12.05% CG 2004 Securities F.V - Rs. 2 Crs.	ICICI Bank - 604 Nariman Point JSBL - 2364
15.01	851729	HTL - IB	HTL (JSBL - 2364)	2	1	80,00,000		
15.01		HTL - IB	Reimbursements (Salaries)	*	1	31,72,880		
15.01	851740	HTL - IB	HTL (HDFC Bank - 7011)	7	1	43,00,000		HDFC Bank - 7011
15.01	851741	HTL - IB	HTL (Indusind Bank - 060)	8	1	31,00,000		Indusind Bank - 060
15.01	851742	HTL - IB	Self	*	1	1,20,000		
15.01	851739	HTL - IB	Ways India Ltd (ICICI Bank - 1715)	9	1	17,69,000		ICICI Bank - 1715
15.01	851737	HTL - IB	Buyeverything.com India Ltd (IB - 2643)	10	1	9,50,000		ICICI Bank - 2603
15.01	851734	HTL - IB	Live24 Ltd (ICICI - 4288)	*	1	1,50,000		ICICI Bank - 4288
15.01	851735	HTL - IB	Discover Technologies Ltd (IB - 4287)	11	1	5,00,000		ICICI Bank - 4287
15.01	922980	HTL - IB	Pacific Finance (JSBL - 2470)	3	2	26,00,000		JSBL - 2470
15.01	922981	HTL - IB	Pacific Finance (JSBL - 2470)	4	2	38,00,000		JSBL - 2470
15.01		HTL - IB	Small Payments (JSBL - 2811)	*	2	16,00,000		
15.01		HTL - IB	Century Dealers Pvt Ltd (JSBL - 2811)	5	3	19,25,000		
15.01	829692	Paci - IB	Small Payments	*	3	6,75,000		
15.01	829695	Paci - IB	Indramani Merchants (JSBL - 2814)	6	4	41,00,000		
15.01	915557	Paci - IB	N.S. Trivedi	*	5	14,15,000		
15.01		Cent - IB	Small Payments	*	5	5,10,000		
15.01	915619	Cent - IB	KGMS Software	*	6	35,00,000		
15.01	111458	Indra - IB	HFCL-Nine Broadcasting	*	7	35,96,322		
5.01		HTL - IB	Small Payments	*	8	31,00,000		
5.01	642673	HTL - Ind. IB	Salaries	*	9	10,55,813		
5.01		Ways - IB	Salaries	*	9	6,93,800		
5.01		Ways - IB	J Rajgopal	*	9	9,35,300		
5.01		Buy - IB	Salaries	*	10	4,91,177		
5.01		DTC - IB	Salaries	*	11	2,20,61,880		
7.01	PO 95740	RCBL	HTL (HDFC Bank - 7011)	1		1,55,90,729	Recd to Purchase 10.25% CG 2012 Securities F.V - Rs 1.5 Crs.	HDFC Bank - 7011 Nariman Point
7.01		HTL - IB	HDFC - Bank	*	1	1,43,87,570	Repayment of loan given by HDFC Bank for purchase of security	
7.01	933118	HTL - IB	Cash Withdrawal	*	1	10,00,000		
						1,53,83,570		



11. Particulars of accused person Charge sheeted:-

(i) Name : *Vinaychandra Tulsidas Madhlani*

Whether verified: :- yes

(ii) Father's Name: *Tulsidas Madhani*

(iii) Date/Year of Birth:- *71 years of age.*

(iv) Sex: :- male . (v) Nationality: *Indian*

(vi) Passport No..... Date of Issue..... Place of Issue.....

(vii) Religion: :- *Hindu* (viii) whether SC/ST:--

(ix) Occupation: *business.*

Address... *31-B, Peddar Road, Bhaveshwar Darshan, Mumbai-26*

Whether verified: :- yes

(x) Provisional Criminal No.:

(xi) Regular Criminal No.:

(xii) Date of arrest :- *17/07/2002.*

(xiii) Date of release on Bail: ... *17/07/2002.*

(xiv) Date on which forwarded to court: - *17/07/2002*

(xv) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*

(xvi) Name(s) of Bailers/ sureties and Address: ... *on bail*

(xvii) Previous convictions with reference:

(xix) Status of the accused : *on bail*
Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:

FORM 5B

11. Particulars of accused person Charge sheeted:-

(i) Name : *Shivji Bhai Dungarshi Majethia.*

Whether verified :- yes

(ii) Father's Name: *Dungarshi Majethia.*(iii) Date/Year of Birth:- *72 years of age.*(iv) Sex: - *male* (v) Nationality: *Indian*

(vi) Passport No. Date of Issue Place of Issue

(vii) Religion:- *Hindu* (viii) whether SC/ST:-(ix) Occupation: *business.*Address... *10-satyam, 4 Nathpai Nagar, 90 Ft. Road, Ghatkoper (E), Mumbai-77*

Whether verified:- yes

(xi) Provisional Criminal No.

(xii) Regular Criminal No.

(xiii) Date of arrest :- *20/07/2002.*(xiv) Date of release on Bail: ... *20/07/2002.*(xv) Date on which forwarded to court:- *20/07/2002*(xvi) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*(xvii) Name(s) of Bailers/ sureties and Address: ... *on bail*

(xviii) Previous convictions with reference:

(xix) Status of the accused : *on bail*
Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:

11. Particulars of accused person Charge sheeted:-

FORM 5B

(i) Name :- **Jaswantrai Nandlal Mehata.**

Whether verified: :- yes

(ii) Father's Name: **Nandlal Mehata.**(iii) Date/Year of Birth:- **82 years of age.**(iv) Sex: :- male (v) Nationality: **-Indian**

(vi) Passport No..... Date of Issue..... Place of Issue.....

(vii) Religion:- **Hindu** (viii) whether SC/ST:-(ix) Occupation: **Service.**Address... **L.V. Navneet Kripa, Behind Mahatma Gandhi Market, MG Road,
Ghatkoper(E), Mumbai 77**

Whether verified:- yes

(xi) Provisional Criminal No:.....

(xii) Regular Criminal No:.....

(xiii) Date of arrest :- **20/07/2002.**(xiv) Date of release on Bail: **...20/07/2002.**(xv) Date on which forwarded to court: **- 20/07/2002**(xvi) Under Acts and sections **120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.**(xvii) Name(s) of Bailers/ sureties and Address: **...on bail**

(xviii) Previous convictions with reference:.....

(xix) Status of the accused : **on bail.**
Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial
custody/ Absconding/ Proclaimed Offender:.....

12. Particulars of accused person Not Charge sheeted(Suspect):-

(v) Name : **Nandkishor S. Trivedi..**Whether verified: **No**(vi) Father's Name: **S. Trivedi.**(vii) Date/Year of Birth: **--40 years....**

(viii) Sex:.....(v) Nationality:-.....

(viii) Passport No.....Date of Issue.....Place of Issue.....

(ix) Religion:.....(viii) whether SC/ST:--...

(x) Occupation:

Address...**Dev Bhavan, Room no. 32, Gazdar Street,,
Chira Bazar, Mumbai-02..**

Whether verified:.....

(xi) Provisional Criminal No.:.....

(xii) Suspicion Approved: Yes/ No.....

(xiii) Status of the accused (Suspect) Bailed by Police/Bailed by Court/ in Judicial Custody/ absconding/ Proclaimed Offender/ Not arrested: **Absconding.....**(xiv) Under acts and Sections:- **120(B) r/w 409, 465, 467, 468, 471, 420 of IPC..**Any special Remarks including reasons for not charge sheeting :**Absconding.**

11. Particulars of accused person Charge sheeted:-

(i) Name : *Subodh Chand-dayal Bhandari.*

Whether verified: :- yes

(ii) Father's Name: *Chand-Dayal Bhandari.*(iii) Date/Year of Birth:- *04/09/1965.*(iv) Sex: :- male . (v) Nationality:- *Indian*

(vi) Passport No.....Date of Issue.....Place of Issue.....

(vii) Religion:- *Hindu* (viii) whether SC/ST:--(ix) Occupation: *Service.*Address... *B- 703, Govind Complex, Sector 14, Vashi, Navi Mumbai.*

Whether verified:- yes

(xi) Provisional Criminal No.....

(xii) Regular Criminal No.:.....

(xiii) Date of Surrender: :- *29/08/2002.*

(xiv) Date of release on Bail:....in Judicial custody.

(xv) Date on which forwarded to court:- *29/08/2002*(xvi) Under Acts and sections *120(B) r/w 409, 465, 467, 468, 471, 420 of IPC.*

(xvii) Name(s) of Bailers/ sureties and Address: ...in JC

(xviii) Previous convictions with reference:.....

(xix) Status of the accused : *IN JUDICIAL CUSTODY*

Forwarded/bailed by Police/ In Police custody/ Bailed by court/ In Judicial custody/ Absconding/ Proclaimed Offender:.....

FORM : 5-D

13. Particulars of witnesses to be examined :-

Sr. No.	Name, Age & Occupation	Address	Type of Evidence to be tendered.
1.	Vilas Rajaram Kulkarni H-57	Pratibha Co-op. Hsg. Society, II floor, A Wing Block No. 301, Dr. Ambedkar Chowk, Karjat, Dist. Raigad. Tel 23014	Complainant
2.	Ashwin Maganlal Zatakia H-42	Vasant Aradhana, C- Bldg. Plot no. 501, Dahanukar Wadi, Mahavir Nagar, Kandivali (W), Mumbai 67 Tel:- 8656212	Submitted various documents as he is RCBL employee.
3.	Sanjay Niranjana Choksi H-28	24/26, Jetha Dhanaji Bldg. IIIrd floor, Daryastan Street, Masjid Bandar, Mumbai-03	Employee of HTL.
4.	Jaykumar Rasiklal Mehata H-39	Hariom Apartment, C- Wing, Ist floor, Plot No. C-103, near AnandNagar Garden Vasai Road (W), Dist:- Thane.	Employee of HTL gives evidence against directors of HTL.
5.	Amit Kantilal Sheth H-38	193, Lalit Kutir, CHG, Gulmohar Cross Road No. 9, JVPDScheme, Andheri (W) Mumbai-09.	Director of Giltedge. Gives details for receipt of amount from HTL.
6.	Srikant Nath Sharma H-36	A/102, Devafirth, Ghodbandar Road, Chital Sar Naka, Manpada, Thane (W), 07	Employee of HTL. gives evidence against directors of HTL.
7.	Minoo Dinshaw Master H-73.	Durlabh Bhavan, Jarbhai street, Rajaram Mohan Rai Rd, Prarthna Samaj, Mumbai-4	Employee of RCBL.
8.	Arvind Walji Asher H-53	Pragati Nagar, Achole Road, Nalasopara, (E) Dist:- Thane.	Employee of RCBL

9.	Smt. Meena Mahendra Geelani H-60	101-A, Paradise apartment, 44, L. Jagmohandas Marg, Mumbai 36,	Director of RCBL
10.	Sharad Prabhudas Gokani H- 50	12, Peddar Road, Mumbai	Director of RCBL
11.	Pradeep Gulabrai Gandhi H- 42	21, Vallabh Apartment, 87, Bhulabhai Desai Road, Mumbai 36	Director of RCBL
12.	Ketan Rameshchandra Mashkaria H- 30	191/5313, Geetanjali "A", Paritnagar Ghatkoper(E) Mumbai 75	Employee of HTL
13.	Smt. Pallavi Vinay Shah	D/7, Gandhigram HSG. Society, BLDG. No. 1, Gilbert Hill Road, Andheri (W), Mumbai-58.	Employee of RCBL
14.	Vinayak Namdeo Bhandare H- 53	Shrikant Punj, Room No. 1, Mona Patankar Marg, Kurla(W), Mumbai-70.	Govt. Auditor
15.	Ramaniklal Lalubhai Modi H-80	Vandan Bldg. 2 nd floor, Block No.4, Tilak road, Ghatkoper (E), Mumbai 77	Ex-Accountant of HTL
16.	Sadanand Shaym Purav H-34	Sucha Niwas, Babhai, Eksar Road, Borivali (W), Mumbai 91	Spl. Auditor, who first located fraud.
17.	Shri. Vinayak maruti Prabhu H- 42	B/508, raj Towers, IC Colony, Borivali (W), Mumbai 103	Employee of IndusInd bank submitted documents
18.	Mahesh Manohar Shirali H-35	Plot no. 80, Hindu colony, 11 lane, Dadar (E), Mumbai 14	Employee of UTI Bank submitted documents.
19.	Shiviyogi Basavrajappa Kubasad H- 28	19, Tilakdham, kama Road, Andheri(W), Mumbai	Employee of HDFC Bank submitted documents

20.	Kiran Sitaram Mhatre H-41	R/o. 604, Sai Angan, Near Nahurgaon, Mulund (W), Mumbai	Employee of HDFC bank submitted documents
21.	Laxman Marutirao Kokate H-49	D/501, Sankeshwar HSG. Society, SV Road, Borivali (E), Mumbai-66.	Employee of MDCC submitted chqe of Rs. 5.40 crores.
22.	Pioneer securities Ltd.	308, Skipper Corner, 88, Nehru Place, new Delhi 110019.	Gives reasons for receipt of amount from HTL.
23.	Deelip Desai of Panchsheel Mercantile Co-operative Bank Ltd.	Panchsheel Mercantile Co-operative Bank Ltd., Belgium Tower, Silver Plaza complex, Niranjani Mill compound, Ring Road, Surat, Gujath.	Gives reasons for receipt of amount from HTL.
24.	Saurabh Stock Broking Pvt. Ltd.	11, Hurdatt Ray, Chamaria Road, Hawrah-711101	Gives reasons for receipt of amount from HTL.
25.	M.K. Shrinivasan of e-Space Technologies..	ESpace Technologies Pvt. Ltd., Greams Dugar, III floor 149, Greams Road, Chennai- 600006	Gives reasons for receipt of amount from HTL.
26.	M.D. Sharma of Baramati Sahakari Bank Ltd. Baramati	Baramati Sahakari Bank Ltd., Netaji Subhash Chowk, Baramati, Dist Pune.	Gives reasons for receipt of amount from HTL through Giltedge.
27.	S.K. Mishra of RBI PDO.	Reserve Bank of India, PDO, Fort Mumbai.	Gives report about conversion of securities into physical
28.	S.V.Apte Br. Manager of JSBL	Janata Sahakari Bank Ltd. Fort Mumbai.	States about the securities

			purchase by Giltedge
29.	Ketan Rajnikant Choksi . he was appointed to assis to find out end use of amt.	1309, B-wing, sunkersett Palace, Mumbai Tel: 3885888	C. A. Prepared route Map of fund flow.
30.	Opinion of Handwriting		Awaited and will be submitted later on.

16. Brief Facts of case: (Attach separate sheet if necessary)

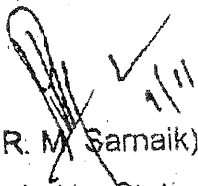
Draft charge separately prepared and annexed herewith.

17. Refer Notice Served.....Yes/No.....

Date.....

(Acknowledgement to be placed)

18. Despatched on.....

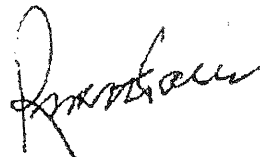

(R. M. Sarnaik)

Forwarded by Station House
Officer/ Officer-in-Charge

Name: R. M. Sarnaik

Rank: :

Asstt. Commissioner of Police,
EOW-I, CB CID Mumbai.


(Rajan Katdare)

Signature of Investigating Officer
Submitting the Final Report/
Chargesheet

Name: Rajan Katdare

Rank: - Police Inspector

EOW, CB CID Unit-I,
Mumbai.

- 204 -

No 70

आरोप-पत्र CHARGE SHEET

प्राप्त
Police Station CBI/ACB/Kolkata

जिला
District Kolkata

आरोप-पत्र सं.
Charge Sheet No. 17

तारीख
Date 28/10/1999

प्रतिवादी का नाम, पता और पेशा
Name, address and occupation of complainant or informant Source

प्रथम सूचना रिपोर्ट सं.
First Information Report Number RC 33/2002

तारीख
Date

1	2	3	4	5
वैश्व के लिए भेजे गए अभियुक्तों के नाम और पते, बचा दिये गए हैं या अमानत पर या मुचलके पर Names and addresses of accused persons sent up for trial, whether in custody or on bail or recognizance	वैश्व के लिए नहीं भेजे गये अभियुक्तों (चाहे वे गिरफ्तार किये गये हों या न किये गये हों) के नाम और पते जिनमें करार व्यक्त भी शामिल हों (करार व्यक्तियों को लाल रंगी से दिखाएँ) Names and addresses of accused persons not sent up for trial whether arrested or not arrested, including absconders (show absconders in red ink)	प्राप्त की गई सम्पत्ति (हथियारों समेत) का विवरण—कहाँ, कब और किस के द्वारा प्राप्त की गई और मजिस्ट्रेट को भेजी गई या नहीं Property (including weapons found with particulars) of where, when and by whom found and whether forwarded to Magistrate	साक्षियों के नाम और पते Names and addresses of Witnesses	आरोप या सूचना, अपराध का नाम और तरसम्बन्धी परिस्थितियों का संक्षिप्त स्वीकृत और विधि को किस प्रकार के धर्तरीत आरोप लगाया गया ? Charge or information, nature of offence and circumstances connected with it, in concise details and under what section of law charged ?
1. Shri Prasenjit Daw (31 years), S/o Shri Ranjit Kumar Daw, 33/1A, Benia tola Lane, PO & PS - Amherst Street, Kolkata - 700002 and the then Deputy Manager, Merchant Banking, UTI Bank, Limited, Kolkata. (A-1). (Not arrested) 2. Shri Sanjay Agarwal (37 years), S/o Shri Hari Ram Agarwal, 702, Kusum Apartment, 7th Floor, Sector-17, Vashi, Navi Mumbai and 7, Harisabha Street, Khidderpore, Kolkata - 700023 and Chairman & Director of Home Trade Limited, 124-A, Sohrab Hall, 21, Sasoon Road, Pune, Maharashtra. (A-2). (Not arrested) Contd...P/2	1. Shri Kalpataru Mitra (51 years), S/o Shri Kanan Kumar Mitra, Flat No. A/1/19, Green Towers, 18/2, Uday Shankar Sarani Kolkata-700095 and 41, Kalitala Lane, Ramkrishna Pally, Burdwan-713101. (Not arrested) 2. Sri Indranil Dey (31 years), s/o Late Nirmal Kumar Dey, 58/44, Prince Anwar Shah Road, Kolkata-700045 and Regional Manager, Home Trade Limited, 2B, Prithia Street, Kolkata-700071 (A-5). [Absconder]	List of documents as mentioned in 'Annexure-A'	List of Witnesses as mentioned in 'Annexure-B'	The instant case RC 33/2002 was registered u/s 120B/420, 467, 471 IPC and section 13(1)(d) r/w section 13(2) of P.C. Act, 1988 on the basis of source information and the undersigned took up the investigation of the case under orders. The FIR of the case was submitted in the court of Ld. 1st Special Judge, Alipore, Kolkata. The allegation is in the FIR is that Shri Kalpataru Mitra, while posted and functioning as Dy. Chief Finance Manager (Provident Fund & Cash), Central Marketing Organisation, Sales and Transport, Steel Authority of India Limited, entered into criminal conspiracy with Shri Prasenjit Daw, Directors contd...P/2.

Despatched at 08:00/10:00/12:00 मीला गया।
a.m./p.m.

तारीख
Date 28/10/1999

(हस्ताक्षर)
(SIGNATURE OF INVESTIGATING OFFICER)

Col. No. 1

3. Shri Nandkishore Shankarlal Trivedi (42 years), S/o Sri Shankarlal Trivedi, 3A, Puspam, 3rd Floor, 6, K.D. Road, Vile Parle (W), Mumbai-400056 and Executive Director and Secretary of M/S Home Trade Limited, 124-A, Sohrab Hall, 21, Sasoon Road, Pune, Maharashtra. (A-3).

(Not arrested)

4. Shri Subodh Chandradaya Bhandari (37 years) S/o Chandra Dayal Bhandari, B-703, Govind Complex, Sector-14, Vashi, Navi Mumbai and Sr. Vice President of M/S Home Trade Limited, 124-A, Sohrab Hall, 21, Sasoon Road, Pune, Maharashtra. (A-4).

(Not arrested)

5. Sri Indranil Dey (31 years), S/o Late Nirmal Kumar Dey, 58/44, Prince Anwar Shah Road, Kolkata-700045 and Regional Manager, Home Trade Limited, 2B, Pritoria Street, Kolkata-700071. (A-5).

(Has been)

Col. No. 5

of Home Trade Limited and others and in pursuance of such conspiracy prepared forged and fabricated documents with criminal intention to cheat the Central Marketing Organisation, Steel Authority of India Limited a Government of India Undertaking to the tune of Rs. 1,61,19,587/-.

It has been further alleged in the F.I.R that Sri Kalpataru Mitra by abusing his official position recommended acceptance of offer dated 27.02.2002 of UTI Bank Ltd. for investment of Rs. 1.50 Crore in 8.07 % GOI-2017 Securities and obtained approval from the trustees of Hindustan Steel Limited by making false statements/notings before the trustees. In pursuance of such approval a cheque vide no. 095724 dated 28.02.02 for Rs. 1,61,19,587/- was issued by the Trustees favoring UTI Bank Ltd. which was alleged to have been received by Sri Prasenjit Daw, Deputy Manager, UTI

Bank Ltd. and the said cheque was credited in to the account of M/S Home Trade Limited in their account no. 005010200016302 maintained with the UTI Bank Limited, Lords Branch, Kolkata.

It is also alleged in the F.I.R. that the word "A/C 005010200016302" was fraudulently inserted later on the body of the cheque with an ulterior motive to get the account of Home Trade Limited credited. Subsequently neither UTI Bank Limited nor Home Trade Limited delivered any Government Security to the Steel Authority of India Limited causing wrongful loss to the tune of Rs.1,61,19,587/- to the Central Marketing Organization, SAIL and wrongful gain to themselves.

In course of investigation it has been revealed that Sri Prasenjit Daw (A-1) entered into a criminal conspiracy with Sri Indranil Dey (A-5), Sri Sanjay Agarwal(A-2), Sri Nand Kishore Shankarlal Trivedi (A-3) and Sri Subodh Chandra Dayal Bhandari (A-4) and in furtherance of the said conspiracy Sri Prasenjit Daw (A-1) dishonestly convinced Sri Kalpataru Mitra that the transaction of the GOI securities is being made between UTI Bank Limited and SAIL, and to deliver the cheque no. 095724 for Rs.1,61,19,587/- from the office of the P.F. Department, C.M.O, SAIL on 27.02.02. In connivance with the aforesaid persons of Home Trade Limited Shri Indranil Dey (A-5) caused material alteration of the said cheque by way of insertion of the word 'A/C 005010200016302' on the body of the said cheque, forged the said cheque and deposited the same in the account of Home Trade Limited using the said cheque as genuine and got credited in the account of Home Trade Limited knowing fully well that the securities would not be delivered to SAIL.

The facts of the case as revealed during investigation is submitted below :

The Provident Fund has been created by the Hindustan Steel Limited (presently known as Steel Authority of India Limited) vide an agreement dated 05.09.1962 between Hindustan Steel Limited (one part) and the Trustees (other part). The employer of the establishment has to constitute a Board of Trustees (BOT) and the said BOT is responsible for the management and control of the P.F. money transferred to the Trust. The custody, control and management of the Fund shall be vested in a Board of Trustees. One of the trustees shall be nominated as Chairman by the Company.

The General Manager (Finance & Accounts), Central Marketing Organization, Steel Authority India Limited is the Chairman of the above mentioned Trust and the officer who is in-charge of the Provident Fund Department, C.M.O, SAIL is looking after all the transactions including making proposal for the investment of fund.

The Board of Trustees Hindustan Steel Limited, Central Purchase Organization, Sales & Transport, Calcutta Provident Fund maintains one current account No. 01000050328 with State Bank of India, N.S.Road Branch, Kolkata and all the moneys of the Fund is credited into the said account. All the members of the BOT are authorised signatories and any two of the members can operate the account at any time.

Sri Kalpataru Mitra, the then Deputy Chief Finance Manager (P.F & Cash), C.M.O, SAIL issued 6 (Six) no. of letters, each dated 26.02.02, addressed to six different companies, including UTI Bank Limited inviting offers of quotation for investment in Central Government Securities and subsequently the said six companies issued letters on 27.02.02 quoting rates of different categories of Government Securities before SAIL.

Sri Prasenjit Daw (A-1), the then Deputy Manager, UTI Bank Limited, Kolkata issued letter dated 27.02.02 furnishing the quotation of the Government Securities on behalf of UTI Bank Ltd. and he did not mention in the said letter that the UTI Bank Limited was bidding for the offer of Investment on behalf of M/s Home Trade Limited.

Sri Kalpataru Mitra received the quotations from all the six companies including UTI Bank Limited and prepared one comparative chart. He placed a note before the Board of Trustee of the P.F Trust, C.M.O. Hindustan Steel Limited on 27.02.02 along with the comparative chart and proposed that Rs. 1.5 crores might be invested in 8.07% Government of India-2017 securities as the UTI Bank Ltd. offered the best quotation amongst the six companies. The said note was approved and counter signed by Sri Ansuk Chakraborty and Sri Jyotirmoy Chakraborty, both members of the Trustees and Sri Vipin Puri, the Chairman of the Trustees.

On the same day (27.02.02) Shri Prasenjit Daw, the then Dy. Manager, Merchant Banking, UTI Bank Ltd. issued one deal confirmation letter furnishing the details of the transaction of 8.07% GOI 2017 mentioning Home Trade Ltd. as counter party. On 27.02.02, Sri Prasenjit Daw (A-1), the then Deputy Manager, Merchant Banking received one cheque vide no.095724 dated 28.2.02 drawn on State Bank of India, N. S. Road, Calcutta vide Account No. 01000050328 for Rs.1,61,19,587/- duly issued by Board of Trustees Hindustan Steel Limited, Central Purchase Organization, Sales & Transport, Calcutta Provident Fund.

The said cheque was deposited on 28.02.02 in the account no. 005010200016302 maintained by M/s Home Trade Ltd. in the UTI Bank Limited, Lords Branch, Kolkata and the account of Home Trade Limited was

credited by the aforesaid amount of Rs.1,61,19,587/-. On the same day an amount of Rs. 1,60,00,000/- was withdrawn from the same account of Home Trade Limited.

Subsequently, neither M/s Home Trade Limited nor, UTI Bank Limited delivered the said 8.07% GOI 2017 to the Steel Authority of India(SAIL). Much later, Sri Kalpataru Mitra pursued with UTI Bank Limited for delivery of the GOI Securities but UTI Bank Limited denied their responsibility and asked the SAIL to take up the matter with Home Trade Limited who actually received the aforesaid amount.

Sri Prasenjit Daw(A-1) intentionally did not mention the name of Home Trade Limited when he issued the letter containing the quotation of different Securities of GOI on 27/02/2002 and the P.F of SAIL accepted the quotation of UTI Bank Limited. But after confirmation of the said deal Sri Prasenjit Daw(A-1) dishonestly mentioned the name of Home Trade Limited as the counter party in his deal confirmation letter dated 27.02.2002.

Sri Prasenjit Daw(A-1) received the cheque no. 095724 from Shri Kalpataru Mitra from the office of the P.F Department of SAIL and then handed over the said cheque to Sri Indranil Dey (A-5), the then Regional Manager of Home Trade Limited at Kolkata, who deposited the said cheque in the account of Home Trade Limited knowing fully well that the securities would not be delivered to SAIL and caused wrongful gain to Home Trade Limited.

M/S Home Trade Limited was maintaining one account vide account no. 005010200016302 in the UTI Bank Limited, Lords Branch, Kolkata since 27.9.01 and Sri Sanjay Agarwal(A-2), Director & Chairman of

Received of
Atc opent

21.9.01

M/S Home Trade Limited, Sri N.S.Trivedi(A-3), Director & Secretary of M/S Home Trade Limited, Sri Ketan Kantilal Seth and Sri Subodh Bhandari(A-4), Sr. Vice President of M/S Home Trade Limited were the authorised signatories of the said account.

The account of M/s Home Trade Limited was credited to the tune of Rs.1,61,19,587/- and on the same date an amount of Rs.1,60,00,000/- was withdrawn from the account of Home Trade Limited which clearly indicate that the authorised signatories as well as the Directors of Home Trade Ltd. were fully aware regarding the credit of the account and they knowingly transferred the said amount to the account of Giltedge Management Services Limited. But they did not bother at all to deliver the securities to SAIL causing wrongful loss to the P.F.Trust.

M/S Home Trade Limited has its Registered Office at 124 A, Sohrab Hall, 21, Sasoon Road, Pune-411 001, and came into existence on 24.11.1999 and the said company is registered with Registrar of Companies, Pune, Maharashtra vide Company Registration No. 25-14018.

Shri Sanjay Agarwal (A-2) was Director and Chairman of the Company. Shri.N.S.Trivedi (A-3) was the Executive Director & Secretary of the Company. Shri.Ketan Kantilal Seth resigned as Director of Home Trade Limited on 15.5.2001, and Shri.Subodh Chandradayal Bhandari (A-4) was the Sr. Vice President of Company.

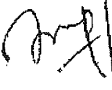
Sri Indranil Dey(A-5) was the Regional Manager of Home Trade Limited at Kolkata office at 2B, Pretoria Street, Kolkata. Moreover it is revealed that Sri Indranil Dey(A-5) was looking after all the activities of Home

UTI Bank Limited which was headed by Sri Pradeepta Bhattacharyya, the then Sr. Vice President, Merchant Banking at Kolkata.

Reserve Bank of India (RBI) has clarified that UTI Bank Ltd. is a scheduled commercial bank and is regulated by RBI. UTI Bank Limited is not permitted to undertake broking activities in Government Securities and under the provisions of Section 6(1) of the Banking Regulation Act, 1949, 'broking' is not among the permitted activities that can be undertaken by a bank. RBI has also clarified that UTI Bank Ltd. was not a listed primary dealer for the purpose.

Securities and Exchange Board of India (SEBI) clarified that UTI Bank Limited is registered with SEBI as a Merchant Banker for three years with effect from 01.01.2001 under SEBI(Merchant Bankers) Rules and Regulation, 1992. It is further revealed that the term facilitator or arranger do not come under SEBI's purview. SEBI also observed that the confirmation note issued by UTI Bank Limited dated 27.02.02 can not be construed as a contract note.

 The UTI Bank Limited paid an amount of Rs.1,74,66,060.97 to Hindustan Steel Limited in the month of April 2003 towards the settlement of the aforesaid transaction.

 The documents containing the questioned writing and the admitted writings as well as the specimen writing/signature was sent to the GEQD to ascertain the authorship of the questioned writings/signature. The opinion of GEQD has been received which opined that Sri Indranil Dey (A-5) and Sri Prasenjit Daw (A-1) wrote/signed the questioned writings and signatures.

5

Trade Limited including the purchase and sale of the securities in the secondary market.

During investigation the cheque no. 095724 drawn on State Bank of India, N.S.Road Branch could be seized and it is revealed that the word 'A/C 005010200016302' on the body of the cheque no. 095724 was inserted later. The person who wrote the body of the cheque namely Sri Pradip Chakraborty of the P.F Department, C.M.O, SAIL and Sri Ansuk Chakraborty and Sri Jyotirmoy Chakraborty, the members of the Trustees, who issued the aforesaid cheque categorically stated that the said word 'A/C 005010200016302' was not written on the body of the cheque when they signed the cheque.

Sri Indranil Dey (A-5) deposited the said cheque no.095724 in the account of Home Trade Limited vide Account No. 005010200016302 and the concerned deposit slip by which the aforesaid cheque no. 095724 was deposited contains the signature of Sri Indranil Dey(A-5). Also, pay-in-slip form to deposit cheque in A/c of M/s Home Trade was filled up by Shri Indranil Dey (A-5). Attempts were made to trace out Sri Indranil Dey(A-5) but he was found to be absconding.

The UTI Bank Limited had started the activities (on commission basis) in facilitating the purchase and sale of Government Securities and acted as a broker in the instant transaction between Home Trade Limited and Steel Authority of India Limited. The UTI Bank Limited received an amount of Rs. 37,500/- from Home Trade Limited towards the commission of the instant transaction.

Sri Prasennjit Daw(A-1) was looking after the transaction of the Government Securities/ PSU Bonds etc. in the Merchant Banking Division,

It is to be mentioned that the original Account Opening Form of Account No. 005010200016302 in the name of M/s Home Trade Limited maintained with UTI Bank Limited was collected in another case vide CBI/ACB/Kolkata case No. RC-24(A)/2002 and the same is also required to be shown as exhibit in this case. Hence necessary permission may be accorded to use the said Account Opening Form in this case also during trial.

Sri Indranil Dey absconded soon after commission of this offence and he is still absconding.

The aforesaid acts of commission and omission on the part of Sri Prasenjit Daw (A-1), Sri Sanjay Agarwal (A-2), Sri Nand Kishore Shankarlal Trivedi (A-3), Sri Subodh Chandra Dayal Bhandari (A-4) and Sri Indranil Dey (A-5) caused wrongful gain to the tune of Rs.1,61,19,587/- to M/S Home Trade Limited and thus they committed offence u/s 120B/420, 467, 468, 471 I.P.C and this charge sheet is being submitted against them for initiation of prosecution. It is prayed that the cognizance of the charge sheet may be taken and the aforesaid accused persons A-1 to A-5 may be sent up for trial. Process may be issued against Sri Indranil Dey (A-5) compelling his appearance to answer the charge leveled against him.

Submitted,

- Enclo.: 1. List of Documents
2. List of Witnesses

S. Chakraborty
22/10/2003
(S.Chakraborty)
Inspector of Police
CBI : ACB : Kolkata

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LIST OF DOCUMENTS IN RC-33/2002

ANNEXURE-A

Sl. No.	Description of documents
1 ✓	One letter dated 26.02.02 addressed to M/S UFI Bank Ltd. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.
2 ✓	One letter dated 26.02.02 addressed to M/S KIC Securities & Finance CO. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.
3 ✓	One letter dated 26.02.02 addressed to M/S Birla Sunlife Securities Ltd. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.
4 ✓	One letter dated 26.02.02 addressed to M/S Kotak Mahindra Capital, Co. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.
5 ✓	One letter dated 26.02.02 addressed to M/S Srei International Securities Ltd. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.
6 ✓	One letter dated 26.02.02 addressed to M/S Strategic Capital Corporation Ltd. duly issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager (PF) in the letterhead of Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta, Provident Fund, inviting offers for investment in Central Government Securities.

7	One letter issued by Shri Prasenjit Daw., Dy. Manager (Merchant Banking), UTI Bank Ltd (fax letter) dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
8	One letter issued by Shri S. Chakraborty, Associate Vice President,, Kotak Mahindra Capital Company Limited (Fax letter) dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
9	One letter issued by Birla Sunlife Securities Ltd. (fax letter) dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
10	One letter issued by Shri Rajesh Bhat, Chief Manager, SREI International Securities Ltd. (Fax letter) dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
11	One letter issued by Shri Soumya Mishra, ICICI Securities (Fax letter) dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
12	One letter issued by Shri Partha Pratim Dhar, Relationship Manager, Strategic Capital Corporation Private Ltd. dated 27.2.2002 furnishing the rates of the Government Securities before Steel Authority of India Limited.
13	Letter dated 27.2.2002 issued by Dy. Manager (Merchant Banking), UTI Bank Ltd. addressed to the Trustees, Steel Authority of India Ltd., Central Marketing Organisation, 52/1A, Ballygunge Circular Road, Kolkata-700019 furnishing the details of transaction of Government Securities 8.07% goi 2017, wherein it has been mentioned that counter party is Home Trade Ltd.
14	Copy of letter dated 27.2.2002 issued by Dy. Manager (Merchant Banking), UTI Bank Ltd. furnishing the transaction of Government Securities 8.07% GOI 2017 before Steel Authority of India Limited containing acknowledgment of the Cheque no. 095724 dated 28.2.02 for RS. 1,61,19,587/- only.
15	Copy of Cheque no. 095724 dated 28.2.02 bearing 'UTI BANK LTD' for Rs.1,61,19,587/- drawn on SBI N.S.Road, Calcutta.
16	Comparative chart dated 27.2.02 prepared by Sri Kapil Kumar Mishra in respect of the quotations submitted by Kotak Mahindra Capital Co. Birla Sunlife, Srei International, ICICI Securities, Strategic and UTI bank.

17	Note prepared by Sri Kalpataru Mitra vide Ref. No. CAL/P F/003 dated 27.02.02 regarding Investment Proposal for Feb.'02 (Second Time) containing signature of the trustees & Chairman.
18	Letter Registered with A/D issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager, P.F. Section DATED 24-5-2002 addressed to Sri Pradipta Bhattacharya, Sr. Vice President, UTI Bank Ltd., 7/1, Lord Sinha Road, Calcutta-700071.
19	Letter issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager, P.F. Section vide Ref. No. CAL/PF/ 11626 DATED 17-5-2002 addressed to UTI Bank Ltd. regarding delivery of 8.07 % GOI 2017 Bonds worth Rs. 1.5 crores.
20	Letter no. UTIB/CO/MMA/2002-03/978 issued by President (Merchant Banking) UTI Bank Ltd. dated 31.5.2002 addressed to Dy. Chief Finance Manager, Hindustan Steel Limited, Central Purchase Organization, Sales and Transport, Provident Fund Section, Kolkata along with copy of the letter dated 27.2.2002 issued by Dy. Manager (Merchant Banking), UTI Bank Ltd. addressed to the Trustees, SAIL, CMO, Kolkata-700019 and copy of paid Cheque no. 095724. (Three pages).
21	FAX Message along with transmission report & copy of fax message issued by Sri Kalpataru Mitra, Dy. Chief Finance Manager, P.F. Section DATED 28-5-2002 addressed to Sri Pradipta Bhattacharya, Sr. Vice President, UTI Bank Ltd., 7/1, Lord Sinha Road, Calcutta-700071 regarding delivery of 8.07% GOI-2017 BOND for Rs. 1.5 Crores. (Four Pages).
22	Copy of note dated 31.5.02 prepared by Sri Kalpataru Mitra, Dy. Chief Finance Manager, Provident Fund Section containing signature of the trustees. (Two pages).
23	Original A/C Payee paid cheque vide no. 095724 dated 28.2.02 drawn on State Bank of India, Netaji Subhas Road, Calcutta vide Account No. 01000050328 for Rs. 1,61,19,587/- duly issued by Board of Trustees Hindustan Steel Limited, Central Purchase Organisation, Sales & Transport, Calcutta Provident Fund in favour of 'UTI BANK LTD' A/C 005010200016302.
24	Certified copies of the computer print out of Statement of Account of the Account No. 010000050328 for the period 01/01/2002 to 30/3/2002. (Page No. 16).
25	Original Debit Voucher of Hindustan Steel Limited, Employees Provident Fund Trust, Calcutta vide Voucher No. 1438 dated 27.2.2002 duly issued by JR./ASSTT./ DY. MANAGER (F) PF regarding payment to UTI Bank Ltd for

25	Rs.1,61,19,587/- towards investment in 8.07% GOI Loan 2017 vide cheque no. 095724 dated 28.2.2002.
26	F.I.R dated 27.09.2002 of RC-33/2002
27	Seizure List dated 10.12.2002.
28	Letter No.UTIB/EZ/CBI/02-03/578 DATED 10th December, 2002 issued by Sri S.K.Mitra, Branch Head & Vice President, Kolkata Main Branch.
29	Seizure List Dated 11.12.2002.
30	Seizure List dated 24/12/2002.
31	Letter no. CMO/VIG/RC-4/2002 dated 23-12-2002 issued by Sri Punkaj Agarwal alongwith Inter- Office-Memo dated 17.12.2002.
32	Letter No.UTIB/MB-EZ/CBI/02-03/500 DATED 21st January, 2003 issued by Sri Shaji John, Manager, Merchant Banking, Eastern Zone.
33	Letter no: CMO/VIG/RC-4/2003 dated 27.2.2002 issued by Sri P.Kulshrestha, Addl. Chief Vigilance Officer, CMO, SAIL.
34	Letter dated 12.3.2003 issued by Sri Shivayogi Kubasad, Asst. Manager, HDFC Bank Ltd., Kamala Mills Compapound, Lower Parcel, Mumbai-13.
35	Seizure List dated 17.03.2003.
36	Seizure List dated 08.04.2003.
37	Letter no. CMO/VIG/RC-4/2002/425 dated 9.4.2003 issued by Sri P.Kulshrestha alongwith copy of agreement dated 9.4.2003 executed between PF Trust and UTI Bank Limited.
38	Letter no. SMD/DBA-I/BCOMP/3385/10551/03 dated May 29,2003 issued by Sri K.Saravanan, Asst. General Manager, Secondary Market Department, Securities and Exchange Board of India.
39	Letter no. DBS(Kol) No.3323/02.02.108/2002-03 dated 2nd June, 2003 issued by Sri R.C.Purkayastha, Deputy General Manager, Department of Banking Supervision, Reserve Bank of India.
40	Seizure Memo Dated 04.09.2003
41	Letter No. UTIB/MB-EZ/CBI/03-04/259 Dated 16th September, 2003 issued by Sri Shaji John, Manager, Merchant Bankin, UTI Bank Limited alongwith certified computer print out of Account No. 005014900501 of Commission Merchant Banking.

42	✓	Seizure List dated 17.09.2003.	for the month of January 2002
43	✓	Seizure List dated 24.9.03.	Employee Code No. ID103 for
44	✓	Cash Book (Computer Print out) for the month of February, 2002 of P.F. Department, C.M.O, SAIL. (Page No. 1 dated 28/02/02).	Account No.
45	✓	Original Pay-in-slip of UTI Bank Limited, Lords Branch dated 15.3.02 vide Account No. 005014900501.	Account No. of Charge Sheet
46	✓	Letter No. ROCP/RECORD/2003/1466 Dated 11/09/03 issued by the Registrar of Companies, Pune, Maharashtra along with certified copies of Memorandum of Association and Articles of Association of M/S Lloyds Brokerage Pvt. Ltd, Euro Asian Securities Limited, Form No.29, Form No.32 of M/S Home Trade Limited, Euro Asian Securities Limited. (Page No. 59,62,63,78 to 80,105,107 & 116 to 196).	
47	✓	Original Account Opening Form vide Account No.0602340000515 of HDFC Bank, Fort Branch, Mumbai in the name of SNS Investment.	26.09.2003
48	✓	Original Account Opening Form vide GL/SL No. 20663 DATED 5/1/2002 of HDFC Bank, Fort Branch, Mumbai in the name of Giltedge Management Services Limited.	
49	✓	Computer Print out copy of the Statement of Account of M/S GMSL vide Account No. 005010200016092. (Page No. 2).	
50	✓	Computer Print out copy of the Statement of Account of M/S Home Trade Limited vide Account No. 005010200016302. (Page No. 6).	
51	✓	Copy of cheque no.018030 dated 28.02.02 drawn on UTI Bank Limited, 7/1, Lord Sinha Road, Kolkata.	
52	✓	Copy of the Account Opening Form of Home Trade Limited vide Account No. 005010200016302.	
53	✓	Original Pay-in-slip of UTI Bank Limited, Lords Branch dated 28.02.02 vide Account No. 005010200016302.	
54	✓	Handwritten letter dated 1.1.2000 addressed to The Managing Director, GMSL regarding resignation on personal grounds.	
55	✓	Passport application Form in the name of Sri Indranil Dey. (Ten pages).	
56	✓	Letter Ref. No. CAL/PF/GOI-8.07%/2002-03 Dated 3.6.02. (Eight pages).	
57	✓	Letter dated 20th September, 2003 vide no. ICBK/NPT/RTL/2003-04 /187 issued by ICICI Bank, Nariman Point Branch along with letter dated March 6, 2002 issued	

	by Home Trade Limited and Salary Statement for the month of January 2002 including salary statement of Sri Indranil Dey vide Employee Code No. ID101 for Rs. 25,783/-.
58	Original Account Opening Form of Home Trade Limited vide Account No. 005010200016302. (This document has been collected in RC-24/2002 of CBI/ACB/Kolkata and is cited as document in the list of document of Charge Sheet of RC-24/2002.)
59	Letter Ref. DBS(Kol)No.887/02.02.108/2003-04 dated October 8, 2003 issued by Sri P.K.Banerjee, Dy. General Manager, Department of Banking Supervision, 15, N.S. Road, Kolkata-700001. (Three pages).
60	Copy of letter UTIB/MB-EZ/CBI/02-03/388 Dated 11th September,2002 issued by Sri Shaji John.
61	GEQD Opinion vide No. DXC-419/2003/2263 Dated 26.09.2003.

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CHARGE SHEET

IN

RC 4 (E)/2002/CBI/BS&FC/MUMBAI.

IN

SPL. CASE NO. _____/2003.

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(SANDEEP MEHRA)
INSPECTOR OF POLICE
CBI : BS&FC : MUMBAI

IN THE HON'BLE COURT OF SPECIAL JUDGE FOR CBI, GRATER MUMBAI.

CHARGE SHEET IN CBI CASE NO. RC 4 (E)/2002, CBI, BS&FC, MUMBAI.

Case No. Date of Regn. & Section of Law	Name & Address of Accused S/Shri.	Age, Case & Sex.	Witness	Charge with Signature of the Officer	Amount of property recovered	Officer-in-charge	Evidence Tendered
RC 4 (E)/2002 10.05.2002. U/Sec. 120-B, r/w. 409, 420, 467, 468 of IPC & Sec. 13(2), r/w. 13 (1) (c) & (d) of PC Act, 1988.	1. Sanjay Agarwal, R/o. 7, Hari Sabha Street, Kidderpur, Kolkatta - 23. (On Bail, but not availed the same till date) (Private Person)	38 Yrs. Hindu Male	As per list enclosed	(Charge is enclosed separately)			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and u/s. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988 and Substantive offence U/Sec. (420, 465, 467, 468, 471 IPC).
	2. Ketan Sheth R/o. 193, Lalit Kutir Co. Op. Hsg. Soc., Gulmohar Cross Road No. 9, Andheri (W), Mubai - 49. (On Bail) (Private Person)	41 Yrs. Hindu Male.					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420 & 477-A IPC).
	3. Anupkumar Gond R/o. 14/23 Triveni Co. Op. Hsg. Soc., Adarsh Nagar, Oshiwara, Andheri (W), Mumbai. (Not Arrested) on Bail) (Public servant)	43 Yrs. Hindu Male			The action is being initiated under criminal law amendment ordinance 1944 for attachment of property		U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (409, 420, 467, 468, 477-A IPC and U/Sec. 13 (2) r/w. 13 (1) (d) of PC Act 1988)

Accused Not Named in FIR 4. Chandulal Thadani R/o. 206 Menka Park, Near Municipal Garden, Netaji, Ulhasnagar, Thane. (Not Arrested) (Public Servant)	51 Yrs. Hindu Male			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (409, 420, 467, 468, 477-A IPC and U/Sec. 13 (1) (d) of PC Act 1988)
5. Nandkishor S. Trivedi R/o. 3-A, Pushpam, 3rd Floor, 6th Khandubhai Desai Road, Vile Parle (W), Mumbai - 56. (On bail but not yet availed) (Private Person)	37 Yrs. Hindu Male			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420, 465, 467, 468, 471 IPC).
6. Subodh Bhandari R/o. B-703 Govind Complex, Sector 14, Vashi, Navi Mumbai. (On bail but not yet availed) (Private Person)	37 Yrs. Hindu Male			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420, 465, 467, 468, 471 IPC).
7. Mahendra Agarwal R/o. 2-J, Judges Court Road, Kolkatta - 27. (Not Arrested) (Private Person)	37 Yrs. Hindu Male			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (465IPC).
8. Jitendra Agarwal R/o. 2-J, Judges Court Road, Kolkatta - 27. (Not Arrested) (Private Person)	29 Yrs. Hindu Male			U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (465IPC).

9. Sriprakash Poddar R/o. P-11, Devendra Dutta Lane, Posta, Kolkatta - 7. (Not Arrested) (Private Person)	49 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (465IPC).
10. Nandkishore Prasad R/o. 116 Juhu Sagar, New D. N. Road, Andheri, Mumbai. (Not Arrested) (Private Person)	68 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988).
11. Pallav Ved R/o. 2 Ram Niwas, Gulati Compound, Nanda Patkar Street, Vile Parle (E), Mumbai. (Not Arrested) (Private Person)	35 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988).
12. Smt. Suman Prasad R/o. 14/23 Triveni CHS, Adarsh Nagar, Oshiwara, Andheri (W), Mumbai. (Not Arrested) (Private Person)	38 Yrs. Hindu Female					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420 IPC).
13. Arunkumar Surekha R/o. B-1, 401 Tapovan Western Express Highway, Malad (E), Mumbai - 97. (Not Arrested) (Private Person)	35 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420 IPC).

14. Omprakash Salecha R/o. B-404, Chandra Apartment, SVP Road, Borivli (W), Mumbai (Not Arrested) (Private Person)	45 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420 IPC).
15. Vijay Doshi R/o. 502 Oceanus, Opp. Juhu Post Office, Juhu, Mumbai- 400 049, (Not Arrested) (Private Person)	53 Yrs. Hindu Male					U/Sec. 120-B IPC r/w. (409, 420, 465, 467, 468, 477-A of IPC and U/Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988) and Substantive offence U/Sec. (420 IPC).

CHARGE

1. That, Sh. Sanjay Agarwal (A-1) was the Director of M/s. Lloyds Brokerage, the name of which was changed to M/s. Euroasian Securities and then to M/s. Home Trade. Sh. Ketan Sheth (A-2) was also one of the Directors in M/s. Home Trade as well as in M/s. Ketan Sheth & Co. and M/s. Giltedge. Sh. Anupkumar Gond (A-3) is a public servant and was the Commissioner of Seamen's Provident Fund (SPF) and is presently under suspension. Sh. Chandulal Thadhani (A-4) is also a public servant and is working as Senior Assistant with SPF. Sh. Nandkishore S. Trivedi (A-5) and Sh. Subodh Bhandari (A-6) are private persons and Directors of various companies belonging to A-1. S/Sh. Mahendra Agarwal (A-7), Jitendra Agarwal (A-8) and Sriprakash Poddar (A-9) are relatives of Sh. Sanjay Agarwal (A-1) and proprietors of three benami companies created by A-1 and assisted A-1 in diversion of funds of SPF. Sh. Nandkishore Prasad (A-10) is father-in-law of Sh. Anupkumar Gond (A-3); Sh. Pallav Ved (A-11) is an associate of A-3 and Smt. Suman Prasad (A-12) is wife of A-3 and all of them actively assisted A-3 in diversion of illegal money. S/Sh. Arunkumar Surekh (A-13), Omprakash Salecha (A-14) and Vijay Doshi (A-15) are Directors of M/s. Aarfin Brokers, Salecha Consultant and M. D. International respectively and assisted A-1 in diversion of money of SPF.

2. That, a criminal case i. e. RC 4 (E)/2002 was registered on 10.05.2002 on a written complaint signed by Sh. D. T. Joseph, Director General Shipping, Mumbai vide his letter dtd. 9.5.02 against S/Sh. Sanjay Agarwal (A-1), Ketan Sheth (A-2), both belonging to M/s. Home Trade and M/s. Giltedge, Mumbai and against Sh. Anupkumar Gond (A-3), Commissioner Seamen's Provident Fund, for alleged criminal misappropriation of the funds of SPF.

3. That, the investigation established, Sh. Anupkumar Gond (A-3) the then Commissioner of SPF in conspiracy with S/Sh. Sanjay Agarwal (A-1), Sh. Ketan Sheth (A-2), Chandulal Thadhani (A-4), N. S. Trivedi (A-5), Subodh Bhandari (A-6), Mahendra Agarwal (A-7), Jitendra Agarwal (A-8), Sriprakash Poddar (A-9), Nandkishore Prasad (A-10), Pallav Ved (A-11), Smt. Suman Prasad (A-12), Arunkumar Surekh (A-13), Omprakash Salecha (A-14) and Vijay Doshi (A-15) committed grave criminal

misconduct by abusing his official authority as public servant in defrauding Seamen's Provident Fund and caused undue pecuniary advantage to him and all the other accused persons and caused corresponding wrongful loss to the SPF.

4. That, the SPF is a Non-Govt. Provident Fund constituted under the Seamen's Provident Fund Act 1966, for the benefit of seamen. By a notification dtd. 27.03.1997, the Ministry of Finance, Govt. of India provided that amounts lying in Non-Govt. Provident Funds, etc. could be invested in Central Govt. Securities and other Govt. Securities. Sh. Anupkumar Gond (A-3) was appointed as the Commissioner of SPF and he was authorised by the Board of Trustees of SPF to invest the funds of SPF with due diligence and for the betterment of the fund. Pursuant to the resolution of the Board of Trustees, the SPF Commissioner i.e. Sh. Anupkumar Gond (A-3) began transacting business in securities. All the investment decisions were being taken by Sh. Gond himself. He was also an authorised signatory for operation of Bank Account of the fund maintained with Nationalized Banks in name of SPF.

5. That, in the year 1996, the RBI vide its letter dtd. 9.2.96 indicated its reluctance to manage investments of SPF and suggested the board of SPF to appoint any nationalized bank to carry out the investments. However, Sh. Anupkumar Gond (A-3) who was the Commissioner of the fund proposed before the board that the board itself manage the surplus fund without taking services of another Nationalized Bank. The board of SPF in its resolution dtd. 28.11.96 decided that the work of investment (i. e. sale, purchase, transfer, endorse, negotiate etc.) of the fund will be done by the Commissioner himself. It was also decided that the surplus fund would be invested as laid down by the Ministry of Finance, Govt. of India. The government securities were also decided to be kept in physical or SGL form and the bonds in physical form by the Commissioner.

6. That, the investigation further revealed, the RBI while entrusting the investment work to the SPF, handed over securities having face value worth Rs. 16.03 crore, belonging to SPF which were already available with RBI. After taking over the investment work, Sh. Anupkumar Gond (A-3) utilized the services of one M/s. Dara Saw & Co. who was a recognized broker authorized by RBI and Securities and Exchange Board of India (SEBI). However, soon after that one Sh. Shailesh Mehta introduced

Sh. Ketan Sheth (A-2) of M/s. Ketan Sheth & Co. and M/s. Giltedge to Sh. Anupkumar Gond (A-3) and A-3 started investing in government securities through these two companies, of which M/s. Giltedge was not registered with RBI for dealing in Govt. securities.

7. That Sh. Ketan Seth (A-2) introduced Sh. Sanjay Agarwal (A-1) to Shri Anup Kumar Gond (A-3) and thereafter A-3 started transacting through the companies of A-1 for and on behalf of SPF. The first transaction with A-1 through his firm M/s. Lloyds Brokerage was on 7.4.1998, when A-3 gave a cheque of SPF for Rs.95.21 lakh favouring M/s.Lloyds Brokerage for purchase of securities. That the criminal conspiracy hatched was beginning to be implemented from then onwards in that, A-3 never received any securities from A-1 and to cheat the SPF, A-3 with the help and active involvement of Sh. Chandulal Thadani (A-4), with the criminal intention accounted for the securities in the books of accounts of SPF, merely on the contract notes issued by A-1 without actually receiving the securities purchased. Similarly, A-4 on the instructions of A-3 without bringing in the proceeds of the securities sold for SPF through A-1's firm, fraudulently accounted as if fresh securities were delivered in lieu of money, without actually receiving them, merely on the basis of the contract notes issued by A-1's firm.

8. Though A-3 had delivered securities of the SPF worth Rs. 31,52,58,308/- as well as cheques worth Rs. 21,50,35,005/-, both for a total value of Rs. 53.5 crore as on 18.12.1998 to the firm, M/s. Lloyds Brokerage belonging to A-1, fresh securities for the equivalent amounts were not purchased and delivered to SPF. All these accommodation transactions put through M/s. Lloyds Brokerage, without actual delivery of securities or money, are given in Annexure-I.

9. That on 30.3.1999 and 31.3.1999, there was a huge outstanding of Rs. 57,33,04,839/- on the account of M/s. Euroasian Securities (Lloyds Brokerage) of A-1 and since 31.3.1999 was the financial year ending, with a view to wipe out the outstanding, pursuing the criminal conspiracy further, A-3 and A-4 accepted 16 cheques issued by M/s. Euroasian Securities and nationally given credits to the SPF account, without actually receiving the funds and on 30.3.1999 and 31.3.1999, A-3 issued

cheques from SPF account of the equivalent amount favouring three benami firms of A-1 namely M/s. Hoogly Trading, M/s. Pacific Finance and M/s. Poddar Trading of which Sh. Mahendra Agarwal (A-7), Sh. Jitendra Agarwal (A-8) and Sh. Prakash Poddar (A-9) were the proprietors. By this accounting manipulation deliberately undertaken by A-3 and A-4, they have concealed the wrongful loss that had already been caused to the SPF, which is nothing but criminal breach of trust in respect of the funds of SPF, which was entrusted to them. Further, on the same day the said three benami firms issued cheques of the like amounts favouring M/s. Euroasian Securities and since the SPF, M/s. Euroasian Securities and the three benami companies had current accounts in the one and same branch, without any movement of money, the debit and credit entries were squared up, but ultimately shifting the liability from M/s. Euroasian Securities to the three benami companies namely M/s. Hoogly Trading, M/s. Pacific Finance and M/s. Poddar Trading.

10. That in furtherance of the conspiracy with A-1, A-3 handed over on 15.4.1999 securities worth of Rs. 2.95 crore to a firm called M/s. Dalhousie Securities belonging to S/Sh. Subodh Bhandari (A-6), Nandkishor Trivedi (A-5) and Sh. Sanjay Agarwal (A-1) against which the firm neither delivered the sale proceeds nor fresh securities. (Annex-II)

11. In furtherance of the criminal conspiracy all the purchase and sale transactions put through for and on behalf of SPF by A-3 & A-4 through M/s. Hoogly Trading, M/s. Pacific Finance and M/s. Poddar Trading from 30.3.1999 onwards and up to 30.3.2002 were all accommodative in nature without actual delivery of the securities, which were alleged to have been purchased or the actual delivery of money for the securities alleged to have been sold and all such transactions are given in Annexure-III in respect of M/s. Hoogly Trading, Annexure-IV in respect of M/s. Pacific Finance and Annexure-V in respect of M/s. Poddar Trading.

12. That, in furtherance of the said criminal conspiracy A-3, who was the Secretary to the Board of Trustees of SPF, willfully and fraudulently put up a note on 4.10.2001 to the Board of Trustees misleading the Trustees that about 1500 Sea Men were retiring till March, 2002, which required an out flow of Rs. 33.35 crore and to meet that out flow Rs. 12.69 crore had to be withdrawn from the Spl. Deposit of the SPF kept with the RBI.

That after fraudulently taking the approval of the Board, A-3 permitted withdrawal from RBI Rs. 12.25 crore of which Rs. 9.63 was paid to M/s. Hoogly Trading through cheques drawn by him for the purported purchase of securities and the said securities were never delivered to the SPF.

13. In furtherance of the conspiracy, the said amount given to M/s. Hoogly Trading was further transferred to M/s. Euroasian Securities (Lloyds Brokerage/ Home Trade) of which A-1 is the Director.

14. That, the dishonest and fraudulent acts committed by the accused persons in pursuance of the conspiracy had resulted in the total loss of Rs. 92.78 crore to the SPF of which Rs. 31.53 crore was the value of the securities handed over to M/s. Lloyds Brokerage for sale; Rs.21.5 crore was the direct payment made to M/s. Lloyds Brokerage; Rs.9.63 crore was the direct payment made to M/s. Hoogly Trading and Rs.30.12 crore was the accumulative interest component for the undelivered securities from April, 1998 onwards.

15. That, in pursuance of the said criminal conspiracy A-3 floated two firms namely M/s. Sarli Securities and M/s. Ankismita Securities in the name of his wife and father-in-law and the said two firms received kick back from the accounts of M/s.Ketan Seth & Co. and cheques from various other individuals, who acted as conduit to issue cheques from their accounts for equal amounts of cash received by them from A-1 and A-2.

16. That, as illegal gratification for the undue favour shown by A-3 to A-1, the entire travel expenses of A-3 and his family members to Australia and back was borne by A-1 and the payments were made from the account of M/s.Home Trade (M/s.Euroasian Securities).

17. That, A-3 has amassed huge property, the payments for which has been made from his bank account with SBI, Ville Parle Branch, which account received cheques issued by persons acting as conduit, who had received cash from A-3 in lieu of the cheques issued from their accounts.

18. That, the investigation has clearly established criminal conspiracy among A-1 to A-15 and in pursuance of the said criminal conspiracy, they have committed various illegal acts which have resulted in wrongful loss to the SPF and corresponding wrongful gain to themselves and their specific role in the said criminal conspiracy are as follows:-

- i. Sh. Sanjay Agarwal (A-1) was the Director of M/s. Lloyds Brokerage (the name of which was subsequently changed to M/s. Euroasian Securities and then to M/s. Home Trade) and his firms/ companies received money from the SPF for purchase and delivery of government securities, PSU bonds and other approved government securities, but, had not purchased and delivered the said securities to SPF. Likewise the securities handed over by the SPF to the firms of A-1 for sale in the market, even though were sold, the proceeds of which were not remitted to the SPF.
- ii. Sh. Ketan Seth (A-2) was the Director of M/s. Ketan Seth & Co. and M/s. Giltedge. He is the person who had brought A-1 and A-3 together in pursuance of the conspiracy and he himself was also the Director in M/s. Euroasian Securities.
- iii. Shri Anup Kumar Gond (A-3) was the Commissioner of SPF, who was entrusted with the responsibility of diligently investing the funds of SPF, but, with dishonest intentions, he had not only delivered the available securities with the SPF to the brokerage firms of A-1 without receiving any proceeds, but, also had paid money to these firms for the purchase of securities, which were never delivered to the SPF. He had further received kick backs from these firms which is an illegal gratification for the favours shown by him to these companies. He had dishonestly mislead

the Board of Trustees and fraudulently withdrawn the money of SPF and paid to one of these brokerage firms.

- iv. Shri Chandulal Thadani (A-4) was the Sr. Assistance of SPF, responsible for accounting the securities and the sale proceeds, but, he in connivance with A-3 manipulated the books of accounts of SPF giving credit to the security account merely on the basis of contract notes without actually receiving any security and for these illegal acts, he had received illegal gratification from A-1.
- v. Shri Nandkishor Trivedi (A-5) has floated M/s.Dulhousie Securities and knowing fully well that the securities purchased through M/s. Dulhousie Securities are not going to be delivered to SPF, issued deal confirmation notes under his signatures. The outstanding in M/s.Dulhousie Securities is to the tune of Rs.8.20 crore.
- vi. Shri Subodh Bhandari (A-6) was the Director and authorised signatory of M/s.Dulhousie Securities also issued deal confirmation notes to the SPF without delivering any securities to SPF.
- vii. S/Shri Mahendra Agarwal (A-7), Jitendra Agarwal (A-8) and Shriprakash Poddar (A-9) being the proprietors of M/s. Hoogly Trading, M/s. Pacific Finances and M/s. Poddar Trading respectively assisted A-1 in transferring the liability of M/s.Euroasian Securities and further issued deal confirmation notes to screen the bogus transactions in securities.

- viii. S/Shri Nandkishore Prasad (A-10), Pallav Ved (A-11) and Smt. Suman Prasad (A-12), who are the relatives and associates of A-3 helped A-3 in converting his ill-gotten wealth into immovable property and other investments by floating various companies in their names.
- ix. S/Shri Arunkumar Surekha (A-13), Omprakash Salecha (A-14) and Vijay Doshi (A-15) connived with A-1 to route his ill-gotten wealth through their accounts and have gained substantial amounts for the same.

19. During investigation, the said accused have transferred the ill-gotten money through various accounts of around 25 companies belonging to the group of Sh. Sanjay Agarwal. That, during that period Sh. Sanjay Agarwal (A-1) spent lavishly on advertisement, salaries of employees, entertainment etc., which are from the defrauded amount in this case.

20. That, the aforesaid facts prima-facie establish commission of offences punishable u/s. 120-B r/w. 409, 420, 465, 467, 468, 477-A of IPC & Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act against S/Sh. Sanjay Agarwal (A-1), Ketan Sheth (A-2), Anupkumar Gond (A-3), Chandulal Thadani (A-4), N. S. Trivedi (A-5), Subodh Bhandari (A-6), Mahendra Agarwal (A-7), Jitendra Agarwal (A-8), Sriprakash Poddar (A-9), Nandkishore Prasad (A-10), Pallav Ved (A-11), Smt. Suman Prasad (A-12), Arunkumar Surekh (A-13), Omprakash Salecha (A-14) and Vijay Doshi (A-15) and also under substantive offence mentioned here-in-above.

21. The sanction for prosecution of Sh. Anupkumar Gond (A-1) from the Central Government, being the authority competent to remove the said accused from service has been obtained which is enclosed herewith. The sanction for prosecution of Sh. Chandulal Thadani (A-4) was obtained from the present Commissioner SPF, being the authority competent to remove him from service, which is also enclosed. The GEQD opinion on the signatures of the accused was also obtained which is also enclosed.

- 233 -

22. That, the list of relied upon documents and statements of witnesses examined during investigation are enclosed herewith. The additional list of documents, statement of witnesses will be filed, if need arises, with the permission of Hon'ble Court.

23. That, S/Sh. Sanjay Agarwal (A-1), N. S. Trivedi (A-5) and Subodh Bhandari (A-6) were arrested and have been granted bail by this Hon'ble Court, but they have not availed the said bail granted to them, till date. S/Sh. Anupkumar Gond (A-3) and Ketan Sheth were arrested and have been released on bail by this Hon'ble Court. Rest of the accused were not arrested in this case.

PRAYER

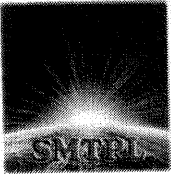
It is therefore, prayed that, this Hon'ble Court may be pleased to peruse the charge sheet and take cognizance and pass appropriate orders in this matter for trial of the accused persons for commission of offences punishable u/s. 120-B r/w. 409, 420, 465, 467, 468, 477-A of IPC and Sec. 13 (2) r/w. 13 (1) (c) & (d) of PC Act 1988 and substantive offences thereof, in accordance with law.

**(SANDEEP MEHRA)
INSPECTOR OF POLICE
CBI : BS&FC : MUMBAI**

Mumbai

Date : 10.11.2003.

Annexure - "9" - 234 -



Sreemudranalaya Technology Pvt. Ltd.

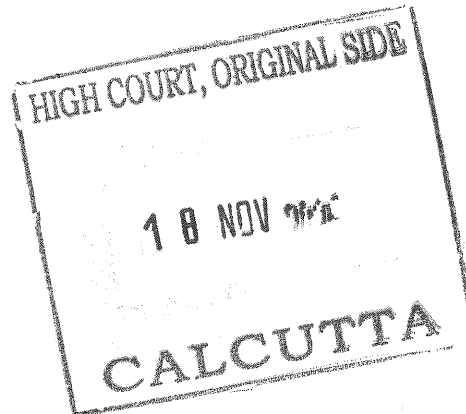
An ISO 9001:2015, 27001:2013 & CMMI Level 5 Certified Company
CIN-U22210WB2006PTC107203



Ref: SMTPL/Agreement-QASPL/Termination
Date: 11th June, 2025

To: Sri. Sanjay Agarwal
Director
Quick Advisory Services Pvt. Ltd.
Bharat Bhawan, 2nd Floor, Room No. C - 5
3, C R Avenue, Kolkata 700072

Sir,



Sub: Termination of Agreement signed between Quick Advisory Services Pvt. Ltd. & Sreemudranalaya Technology Pvt. Ltd.

Kindly refer to the agreement entered into by and between Quick Advisory Services Pvt. Ltd. duly signed by yourself as the Director and Sreemudranalaya Technology Pvt. Ltd. duly signed by the undersigned as the Director, which agreement was signed on 26th August, 2024.

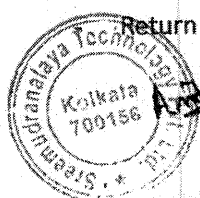
As part of the agreement, it was decided that Quick Advisory Services Pvt. Ltd. (hereinafter referred to as QASPL) will acquire 75% of the shares of Sreemudranalaya Technology Pvt. Ltd. (hereinafter referred to as SMTPL) through a Rights Issue. The Agreement also referred to various action elements to be undertaken to ensure a positive growth of the Company.

It was also agreed that QASPL will arrange to pay a sum of INR 3.00 Crores to SMTPL upfront against 75% of the shares being divested which will permit SMTPL to clear its outstanding dues and other financial commitments. It is regretted that till date there has been no response from your end except some vague indications and assurances of some large investor willing to invest in the company, unfortunately none of which has materialised in the last nine months.

We also find that there is no effort made towards business development at all and the Company is missing out on various large GIS opportunities which is highly detrimental to the health of the Company. Further you have failed to remit the rents payable to the landlord which has been long outstanding and against which the landlord has issued an Eviction Notice which has also been shared with you but there has been no response from your end.

Under the circumstances, we are left with no option but to cancel the agreement signed between QASPL & SMTPL forthwith and request you to comply with the following immediately.

- Return all documents / assets pertaining to SMTPL and / or Dr. Earth AI Technologies Pvt. Ltd. immediately to the undersigned.

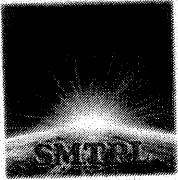


Return all keys of the Terminus Building office immediately.

Annexure - "9" - 234 -
the Pleading / Affidavit
Affirmed by A. Ray
On the 18th Day of NOV
20.25

Regd. Off. : 12, Binod Saha Lane, Kolkata - 700 006, Phone No.: 033 2350 0334
Corp. Off. : Terminus Building, (UG Floor), Action Area 1B, New Town, Rajarhat, Kolkata - 700 156
Phone No.: 033 66160290/1/2/3, Email. a.ray@smtplindia.com, Website. www.smtplindia.com

Before me



Sreemudranalaya Technology Pvt. Ltd.

- Delete and confirm deletion of all websites created by you under the name of Dr. Earth AI Technologies Pvt. Ltd. namely www.drearthailoanmaster.com www.drearthai.com and / or any other website being maintained by you pertaining to this Company.
- Refrain yourself and your employees from representing themselves as being associated with SMTPL / Dr. Earth AI Technologies Pvt. Ltd. in any manner whatsoever.
- Advise your nominated Director to tender his resignation from the Board of SMTPL forthwith.

This is for your necessary information please.

Yours sincerely

For, Sreemudranalaya Technology Pvt. Ltd.

Sreemudranalaya Technology Pvt. Ltd

Asit Roy

Director

DIN - 01594594

Asit Roy
11.06.25
Director

OCD- 13

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

IA NO. GA-COM/1/2025
In CS-COM/141/2025

QUICK ADVISORY SERVICES PVT LTD. AND ANR
Vs

DR. EARTH AI TECHNOLOGY PVT LTD.
(FORMERLY KNOWN AS SREEMUDRANALAYA
TECHNOLOGY PVT LTD.) AND ANR

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 28th October, 2025.

Appearance:

Mr. Mainak Bose, Sr. Adv.
Mr. Dwaipayan Basu Mullick, Adv.
Mr. Subhankar Chakraborty, Adv.
Mr. Saptarshi Bhattacharjee, Adv.
Mr. Aniket Nanda, Adv.
...for the plaintiffs

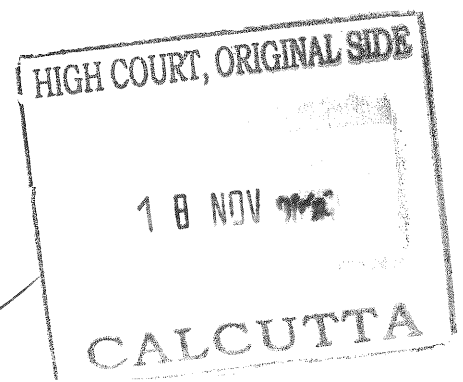
Mr. Jishnu Chowdhury, Sr. Adv.
...for the defendant

1. Counsel for the defendant no. 2 submits that though this Court has passed an interim order on 22nd September, 2025 but prior to the ad interim order passed by this Court the defendant no. 2 alleged to have sold the share to third party and he prays for time to file affidavit in opposition in which the defendant no. 2 will disclose the name of the person to whom the share is alleged to have been sold.
2. Let affidavit in opposition be filed within two weeks. Reply, if any, thereto be filed within 10 days thereafter.

Annexure.....
the Pleading / Affidavit
Affirmed by.....
On the.....by.....
On the 18th Day of Nov.
2025

Before me

Commissioner



3. List the matter on 28th November, 2025.
4. The interim order dated 22nd September, 2025 is extended till 28th November, 2025 or until further order, whichever is earlier.

(KRISHNA RAO, J.)

gb

W.D. Form No. 27

FIRST INFORMATION REPORT

11646

1. First information of a cognizable crime reported under section 154 Cr. P. C. at P. S.
 2. Dist. South 24 Pgs. Sub-Divn. Baruipur P.S. Sonarapur Year 2002 FIR No. 177 Date 19.6.02
 3. (i) Act ... Sections 406/420/120 (B) Act Sections ...
 (iii) Act ... Sections ... (iv) Other Acts & Sections ...

4. General Diary Reference : Entry No. ... Time ...

(b) Occurrence of Offence : Day ... Date ... Time ...

Information received Date 19.6.02 Time 20.35 hrs

G.D. No. 1662 dt 19.6.02 at the Police Station :

Type of Information. Written/Oral

Place of Occurrence (a) Direction and Distance from P. S. ...

(b) Address Garia Near Sitala Mandir

(c) In case outside limit of this Police Station, then the name of P. S. Sonarapur P.S.

District South 24 Pgs.

6. Complaint/Informant

(a) Name Partha Sarathi Charnaborthy

(b) Father's/Husband's Name Late Bijay Krishna

(c) Date/Year of Birth 17.9.1957

(d) Nationality Indian

(e) Address Garia near Sitala Temple

7. Details Known/Suspected/Unknown/Accused with full particulars

(Attach separate sheet, if necessary) Indronil Dey, Asst. Vice President

8. Reasons for delay in reporting by the Complainant/Informant

Finance of home Trade LTD. Head office International

Complex, Navi Mumbai - 400703 and Calcutta office 2B Rajkumar Pratona

Street Ground floor, Cal - 700071 (2) Mr. Sanjoy Agarwal, Chairman

3) Mr. N. S. Divede Executive Director (4) Mr. Manoj A. Saha, Non

Executive director (5) Mr. Dhananjay Agarwal - do (6) Shashank G.

Pande - do (7) Mr. Salil D. Gandhi - do (8) Mr. Vijay Kr. H. Modi - do

(9) Mr. Alan James Memillan - do (10) Mr. Russel H. Bockenkemper

Mr. - do

10. Total value of Properties stolen/involved :

11. Inquest report / U.P. Case No., if any :

12. FIR Content (Attach separate sheets, if required) : The original written complaint of the complt

is treated as F.I.R. is attached/reproduced below.

13. Action taken : Since the above report reveals commission of offence(s) u/s 406/420/120 B. etc

register the case and took up the investigation/directed S/c Sonarapur P.S. arrange for its

investigation to take up the investigation

transferred to P. S. ... on point of Jurisdiction, FIR read over to the Complainant/Informant,

admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

S.1. Ahmmad

Hossain Investigator

The case Pl.

5/11/02

19.6.02

The Boral Union Co-operative Bank Ltd. ②

[Registered Under the Co-operative Societies Act, 1940 and Licence obtained from the Reserve Bank of India (No. UBD. WB 842P) Under Section 22 of the Banking Regulation Act, 1949.]

REGD. OFFICE : BORAL
SAMABAY SARANI
P.O. BORAL, DIST. 24-PARGANAS (S)
PIN : 743505

Dated, the 19-06-2002 12

Received on 19-6-02 at 2035
Exam and started Sanction
PS Case no 177 dated 19-6-02
146 406/420/1203 J/S

19.6.02

BUBC

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Sir,
I Sri Krishna Chakraborty S/o Late Bijoy Krishna Chakraborty of Garia, Near Sitla Manikis, Kolkata-700084, P.O. Secunderabad, Ministry of "The Boral Union Co-operative Bank Ltd" at Boral, Dist South 24-Parganas, do hereby lodge complaint on behalf of the bank against ① Sri Indranil Deb, Asst Vice President - Finance of Home Trade Ltd. with their Head Office International Infotech Park, Tower 3 (5th floor), Vashi Railway Station Complex, Navi Mumbai - 400703 and Kolkata Office at 2B, Rajkumar, Britania Street, Ground Floor, Kolkata-700071

- ② Mr. Sanjay Agarwal - Chairman & Whole time Director
- ③ Mr. N. S. Tivedi - Executive Director & Secretary
- ④ Mr. Manoj A. Shah - Non-Executive Director
- ⑤ Mr. Chandrajyoti Agarwal - do
- ⑥ Mr. Shashank G. Rorade - do
- ⑦ Mr. Salil D. Gandhi - do
- ⑧ Mr. Vijay Kumar H. Mali - do
- ⑨ Mr. Alan Enrico Mcmillan - do
- ⑩ Mr. Russell H. Brinkman - do

Contd. to page 2

③ - 240 -

The Boral Union Co-operative Bank Ltd.

[Registered Under the Co-operative Societies Act, 1940 and Licence obtained from the Reserve Bank of India (No. UBD. WB 842P) Under Section 22 of the Banking Regulation Act, 1949.]

REGD. OFFICE: BORAL

SAMABAY SARANI

P.O. BORAL, DIST. 24-PARGANAS (S)

PIN: 743505

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435-6473

BUBC

Dated, the _____ 19__

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of Home Trade Ltd., of the aforesaid address, to the effect
that as per the guidelines of the Reserve Bank of India, our
bank was required to invest in Govt. Securities from financial
year 2000-01. During this period Sri Indranil Dey came to
our bank and approached our Bank Authority, to invest money
for purchasing Govt. Securities through their company viz.
Mithage Group of 188/AA, Sweet Base Road, Calcutta - 29 and
introduced himself as the Regional Manager of the company. (GPH)
On 15/6/2000, purchase of 11.33% GOI 2011 for Rs. 4 Crores through
his company, then again on 21-9-2001 we purchased 10.25%
GOI 2021 for Rs. 50 Lakhs. Subsequently on 22-1-2002 we purchased
13.10% GOI 2002 for Rs. 2 Crores and 12.69% GOI 2002 for Rs. 3 Crores.

As per the guidelines of the R.B.I. the banks should frequently
visit the Govt. Securities which is known to all Govt. approved
dealers and they frequently visit the banks for their
business. In course of their such business Sri Indranil Dey
visited our bank in the month of February 2002 and introduced
himself as Asst. Vice President - Finance of Home Trade Ltd., a Mumbai
based company having its office in Kolkata and allowed us
to purchase Govt. Securities through his new company
Home Trade Ltd., and tendered the lowest rate of security
and highest rate of interest bearing securities than the
relations of other banks. According to Sri Dey, a greater
profit will thereby be obtained. In support of his
claim he showed us so many documents relating to the
Continued to page 3

(4)

The Boral Union Co-operative Bank Ltd. (C)

[Registered Under the Co-operative Societies Act, 1940 and Licence obtained from the Reserve Bank of India (No. UBD, WB 842P) Under Section 22 of the Banking Regulation Act, 1949.]

REGD. OFFICE: BORAL
SAMABAY SARANI
P.O. BORAL, DIST. 24-PARGANAS (S)
PIN: 743505

- 241 -

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Dated the _____ 19

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credibility of Home Trade Ltd. He allured us to sale the Securities already purchased through Giltedge Group to Home Trade Ltd. and to invest more money in Home Trade Ltd for better benefit of the bank. Being allured by his version, and the easy picture which he painted before our eyes, without a least suspicion of any foul play, we transferred the whole of our investment through Giltedge Group to Home Trade Ltd. along with a cheque NO. 124080 dt. 22-3-2002 for Rs. 103,56,780/- drawn on U.B.I. Calcutta Section Road Branch (1/c payee) in favour of Home Trade Ltd. for purchasing 13.80% GOI 2002 for Rs. 9.5 Crores (Rupees Nine Crores Fifty Lakhs Only) date of maturity 30-5-2002. This deposit was for a very short period with higher rate of interest.

According to the terms and conditions of this investment to the Govt. Securities through Home Trade Ltd. we were supposed to get certificates of the Govt. Securities within a month. After waiting for a reasonable period when no certificate was received we sent Registered Letters to Home Trade Ltd. for delivery of certificates in respect of our investment. Neither any reply nor any certificate was received from their end. We also wrote to SEBI and also enquired into the matter at R.B.I. Kolkata but no positive result was obtained from any source.

We then approached to Kolkata office of Home Trade Ltd. at Bidesia Street and found the Office under lock & key. On local enquiry we could learn that Sri Sauryaj Aggarwal of the

Continued to page 4

The Boral Union Co-operative Bank Ltd. 5

[Registered Under the Co-operative Societies Act, 1940 and Licence obtained from the Reserve Bank of India (No. UBD. WB 842P) Under Section 22 of the Banking Regulation Act, 1949.]

REGD. OFFICE : BORAL
SAMABAY SARANI
P.O. BORAL, DIST. 24-PARGANAS (S)
PIN : 743505

Dated, the _____ 19

Ref. BUBC

- 4 -

Company had been located in Mountain and since then the office
has been closed. We also could not get any trace of Indranil Roy.
It would seem foul-play behind the activities of the Company and
tried to contact them over phone but no response could be
received from their end (Tel. NO. 022-7812444, 781-2530, Fax 91-22-
781-2548). We also sent a Fax message and so many Regs.
letters but all returned undelivered.

Immediately, we recognized the attitude and demeanour of Sri Roy showed
before us at the time of finalising the deal in question which was nothing
but an attempt to pose himself a friend of the Bank with an ulterior
intention to misappropriate the bank money by way of cheating.
It is, therefore, clear that Sri Indranil Roy after making a deep rooted
conspiracy with the official of Home Trade Ltd. induced us
to invest Rs. 95 crores towards purchase of Govt. Securities through
Home Trade Ltd. with ulterior intention to misappropriate the same
by deceitful means and cheated our bank with the same.
In the same way the said company has also cheated a number of
other organisations.

We would therefore request you to register a case against the
aforesaid persons and to take necessary steps for investigation.

Yours faithfully

THE BORAL UNION CO-OPERATIVE BANK LTD.

Partha Pratim Chakrabarti
Secretary

19/01/2002

Mr.

[illegible]

CHARGE SHEET/FINAL REPORT

(Under section 173 Cr. P.C.)

- 254 -

IN COURT OF 2d. S.D. J.M. Alipore ~~2008~~ encl.
 At 2008 P.S. Sourpore Year 2002 FIR No. 177 Date 19.6.02
 Final Report No. 16/05 3. Date 31.1.05
 (i) Act 9.P.C. Sections 406/420/120B Ite.
 (ii) Act Sections
 (iii) Act Sections
 (iv) Other Acts and Sections :
 Type of Final Report : Charge Sheet/Untraced/Unoccurred/Not Charge-Sheeted for want of evidence :
Charge sheet

If R. unoccurred : False/Mistake of fact/Mistake of law/Non-cognizable/Civil nature : X

If Supplementary of Original : Original

Name, Rank and Number (if any) of the I.O.(s) : SI. Adammal Hossain of Sourpore P.S. SI. Asok Kumar Mondal of Sourpore P.S.

(a) Name of Complainant/Informant : Shri. Purna Chandra Chakraborty

(b) Father's/Husband's Name : Late. Rajoy Krishna Chakraborty

4. Date of which the Complainant/Informant was informed of the result : 31.1.05

5. Details of Properties/Articles/Documents recovered/Seized during investigation and relied upon (separate list can be attached, if necessary) :

Sl. No.	Property Description	Estimated Value (in Rs.)	P.S. Property Register No.	From whom/where Recovered or Seized	Disposal
1	2	3	4	5	6
1.	Certificates of Registration of 12.4.1930 and amended on 17.3.1984 of Boral Union Cooperative Bank Ltd.			Seized by SI. AK Mondal of Sourpore on 11.7.2002.	
2.	A.G.M. and S.P. A.G.M. Mutual Bank of Boral Union Cooperative Bank Ltd. commencing from 9.10.76 to 17.3.2002.				
3.	Borrowing Mutual Bank of Boral Union Cooperative Bank Ltd. commencing from 9.10.76 to 17.3.2002.				

1A. Number of accused persons charge-sheeted. 11 (eleven) Entered in separate sheet attached.

1B. Number of accused persons not charge-sheeted. X

12. Particulars of accused persons charge-sheeted :

- (i) Name : 1. Sanjoy Aggarwal
 (ii) Father's/Husband's Name : S/o. Sanjay Aggarwal
 (iii) Date/Year of Birth : 25.12.35
 (iv) Sex : Male
 (v) Nationality : Indian
 (vi) Religion : Hinduism
 (vii) Whether SC/ST : X
 (viii) Occupation : Business
 (ix) Address : 703, N. S. Aggarwal, 716, B. S. Aggarwal, Sector-17, Vashi, Navi Mumbai, R. Vashi
 (x) Provisional Criminal No. : and chairman - P.W. M.D.
 (xi) Regular Criminal No. : of M/s. Home Trade Ltd.
 (xii) Date of Arrest : 6.3.02
 (xiii) Date of Release on bail :
 (xiv) Date of which forwarded to Court : on 6.3.02
 (xv) Under Acts and Sections :
 (xvi) Name(s) and Address(es) of sureties :

2. Subash Chandra
S/o. Subash Chandra Aggarwal
35 yrs.
Male
Indian
Hinduism
(Service manager)
of B. 703, G. B. Aggarwal, Sector-17, Vashi, Navi Mumbai, R. Vashi
and vice President of M/s. Home Trade Ltd.
Arrested on 6.3.02

(xvii) Previous convictions with case reference :

1928

Particulars of accused persons charge-sheeted :

- (i) Name :
 (ii) Father's/Husband's Name :
 (iii) Date/Year of Birth :
 (iv) Sex :
 (v) Nationality :
 (vi) Religion :
 (vii) Whether SC/ST :
 (viii) Occupation :
 (ix) Address :
 (x) Provisional Criminal No. :
 (xi) Suspicion Approved : Yes/No
 (xii) Forwarded/Bailed by Police/Bailed by Court/in Judicial Custody/Absconding/Proclaimed Offender :
 (xiii) Under Acts and Sections :
 (xiv) Any special remarks including reasons for not charge-sheeting :

(Attach separate sheet, if necessary)

14. Particulars of witnesses to be examined :

Sl. No.	Name	Father's/Husband's Name	Date/Year of birth	Occupation	Address	Type of evidence to be tendered
1	2	3	4	5	6	7

- (1) couple
 Manoj Kumar Adhikary spouse Tarakya Nath Adhikary of No. 45.
 Kanchan Pr. Rajput Park. Not known.
 (2) Lakshmi Kanta Adhikary of 1st Brij Raj Adhikary of Boral
 Adhikary Pr. Rajput Park.
 (3) Yashwanth Kumar Adhikary of 1st Brij Raj Adhikary of Boral
 Pr. Rajput Park.
 (4) Delip Kumar Adhikary of 1st Brij Raj Adhikary of Boral
 Pr. Rajput Park.
 (5) Asok Kumar Adhikary of 1st Brij Raj Adhikary of Boral
 Pr. Rajput Park.

15. If F.R. is false, indicate action taken or proposed to be taken u/s. 182/211 I.P.C. :

- (1) Shri. Anand Kumar Adhikary of 1st Brij Raj Adhikary of Boral
 Pr. Rajput Park. Manager of U.B. Ganga Sankar Adhikary of Boral
 Pr. Rajput Park. Manager of U.B. Ganga Sankar Adhikary of Boral

16. Result of laboratory analysis :

Not available. Control over bank.

17. Brief facts of the case : The fact of the case in brief is that on 22.3.22 a check certificate was issued in favour of M/s. Boral Union Corporation Bank Ltd. in respect of transaction of Rs. 1000/- (one thousand rupees) of Reserve Bank of India. According to the P.S. records, one Mr. Anand Kumar Adhikary, Assistant Vice President, Manager of M/s. Boral Union Corporation Bank Ltd. presented himself of the company. The credibility of Boral Union Corporation Bank Ltd. did not appear to be satisfactory. The credibility of the person who presented the check certificate was also not satisfactory. The person who presented the check certificate was also not satisfactory. The person who presented the check certificate was also not satisfactory.

Despatched at : a.m./p.m.

3-10

South pur. Rs 177.00, 17.6.01, 15-406/420/1205.11e.
 of col. M. 11.

Reports of Boral U.E.B. Ltd, for May 1999, 2000 & 2001 (65th 66th, 67th)
 profile of M/s. Gillidge
 of M/s. Home Trade Ltd.

- 1) Annual report of M/s. Home Trade Ltd for the year 2000-01.
- 2) Deal confirmation of M/s. Katan Sells & Company (Gillidge Group)
- 3) Xerox copy of certificate of. Inscribed Stock Govt of Gujara SW EA-8
 to EA-15 valued each of Rs 50 lac.
- 4) Xerox copy of cheque vide no-124064 issued by the Boral U.E.B. Ltd on 21.9.01
 for Rs 52,52,638.89 in favour of M/s. Gillidge Management Services Limited.
- 5) Deal confirmation dt-21.9.01 issued by Indranil Day Regional Manager
 of Gillidge Management Services to the authority of Boral U.E.B. Ltd
 regarding purchase of Govt Securities.
- 6) Deal confirmation dt-22.10.02 issued by Indranil Day on behalf
 of Gillidge Management Services Reg. Sell of Govt Securities.
- 7) Certificate of Registration dt-10.1.2000. issued by SEBI in favour
 of M/s. Home Trade Ltd.
- 8) Return memo. Reg. Sales and purchase of GOI to the chairman, Bank
 Services dt-30.1.02 by Indranil Day of M/s. Gillidge Management
 dt-26.2.02 Reg. Receipt of 1000 and 1001 bonds issued
 by Indranil Day on behalf of M/s. Home Trade Limited.
- 9) Deal confirmation dt-26.2.02 for sale of 1001 bonds to M/s. Home
 Trade Ltd in favour of Boral U.E.B. Ltd.
- 10) Deal confirmation dt-26.2.02 for sale of 1001 bonds to Home
 Trade Ltd issued by Indranil Day.
- 11) Calculation details of Trans. dt-27.2.02
 Reg. of M/s. Home Trade Ltd to the Bank dt-27.2.02.
- 12) Contract note issued by Home Trade Limited contract no. 2002-01
 00016513 dt-26.2.02 in favour of the Bank.
- 13) Bill No. BORD/PUNE/16513 dt-26.2.02 of Rs 36,471,166.67, 16511 dt-26.2.02
 of Rs 3,541,477.45, 16509 dt-26.2.02 of Rs 15,852,602.74, 16507 dt-26.2.02
 of Rs 10,092,465.75 issued by Home Trade Ltd to the Bank regarding
 purchase and sale of GOI, IDBI & ICICI bonds.
- 14) Contract note no. 2002-2001/00016511 dt-26.2.02, 16509 dt-26.2.02
 00016507 dt-26.2.02 issued by Home Trade Limited to the Bank.
- 15) Certified true copy of Signature of M/s Home Trade Ltd. dt-5.3.02
- 16) Cheque Receipt details. issued by M/s Home Trade Limited in favour
 of the Bank of Rs 5,08,697.27.
 dated 22.3.02 issued by M/s Home Trade Ltd.

Annexure - "T"

6/23/25, 10:11 AM

Sree Mudranalaya Technology Pvt Ltd Mail - RIGHTS ISSUE

- 252 -



Asit Ray <a.ray@smtplindia.com>

RIGHTS ISSUE

1 message

Sanjay Agarwal <sanjaywide@gmail.com>
To: Asit Ray <a.ray@smtplindia.com>

Mon, Apr 7, 2025 at 5:27 PM

DOCUMENTS - Issue Related

PL NOTE :

MANOJ Bhai will check this after 2-3 days .
He is currently busy with some Bank Audit

reg

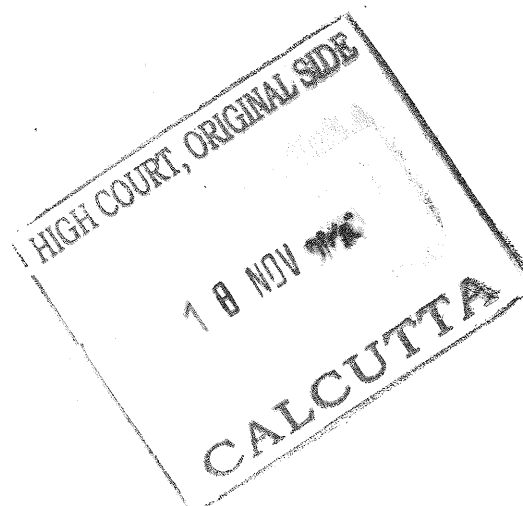
4 attachments

- Copy of Dr Earth_Date Sheet.xlsx
11K
- Consent - Shareholders- Rights Issue (for execution).docx
18K
- Dr Earth_Draft Offer Letter and Application form_LH.docx
208K
- Renunciation Form.pdf
356K

Annexure.....
in the Pleading / Affidavit
Affirmed by A. Ray.....
On the.....by.....
On the 18th Day of NOV
2025.....

Before me

Commissioner..



- 258 -

6/23/25, 10:04 AM

Sree Mudranalaya Technology Pvt Ltd Mail - RIGHTS ISSUE



Asit Ray <a.ray@smtplindia.com>

RIGHTS ISSUE

1 message

Sanjay Agarwal <sanjaywide@gmail.com>
To: Asit Ray <a.ray@smtplindia.com>

Mon, Apr 7, 2025 at 5:28 PM

DOCUMENTS
ALLOTMENT RELATED

Subject to final approval by Manoj Bhai
REG

5 attachments

-  1. Dr Earth_CTC_BR_Allotment.docx
24K
-  4. Share Capital Structure.docx
16K
-  3. Debt Structure.docx
17K
-  Copy of Rights_alltment_money.xlsx
13K
-  2. Dr. Earth_List of allottees.doc
44K

I.A./G.A. (COM) NO. 1 OF 2025
C.S. (COM) NO. 141 OF 2025
IN THE HIGH COURT AT CALCUTTA
COMMERCIAL DIVISION
ORIGINAL SIDE

Quick Advisory Services Private Limited
& Anr.

.... Plaintiffs/Petitioners

-Versus-

Dr. Earth AI Technology Private Limited
(formerly known as Sreemudranalaya
Technology Pvt. Ltd.), & Anr.

....Defendants/Respondents

Affidavit in Opposition affirmed by Asit
Roy on this the 18th day of November, 2025.

AFREEN BEGUM
Advocate
7, Old Post Office Street,
1st Floor, Room No.15 (Mezzanine)
Kolkata - 700 001
Mobile No.906203123
Enrolment No.F/234/74/2020
Email : adv.afreenbegum@gmail.com