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O.W.No. 4170/RBK/2002
Office of the
Sr. Inspector of Police,
EOW CB CID Unit-1, Mumbai.
29/06/2002

To,
The Sr. Inspector of Police,
Osmanabad City Police Station,
Osmanabad, M.S.

Sub: To take charge of the original case papers of transferred case MRA Marg Police Station C.R.No.158/2002 U/s.420,120(B)IPC

Ref: Hon.High Court Order dated 17/06/2002

With reference to the aforesaid subject, this is to inform you that this branch is investigating the aforesaid case.

The epitome of the case are that initially the aforesaid applicant submitted an application addressed to Dy. Commissioner of Police, EOW CB CID Mumbai dated 29/04/2002 for alleged offence of cheating, criminal conspiracy and embezzlement of fund to the tune of Rs. 30 Crores committed by the Directors of Home Trade Ltd., Vashi in connivance with Chairman of Nagpur District Central Co-Op. Bank Ltd., (NDCC Bank) Nagpur and others.

In this case after receipt of this application preliminary enquiries were conducted when it was established that Chairman of Nagpur District Central Co-Op. Bank Ltd., Sunil Kedar had committed an offence i.e. invest the bank's fund for purchase of Government Securities through M/s. Home Trade Ltd. and Home Trade Ltd., issued Bogus Contract Notes to the bank and diverted the funds in other projects and engulfed the large amount of NDCC Bank and other banks in Maharashtra in connivance with Home Trade Ltd., who are the authorised brokers enlisted with Bombay Stock Exchange.

In the meantime accused Sunil Kedar has been apprehended at the instance of Ganeshpeth Police Station, Nagpur in their C.R.No.97/02 and 102/02 respectively and presently he is in Judicial custody.

In this case accused Sunil Kedar, who is the Chairman of NDCC Bank and happened to be one of the Directors of Maharashtra State Co-Operative Bank Ltd., (MSC Bank) an Apex Bank. The applicant is Chairman of ODCC Bank and is also happened to be one of the Directors of MSC Bank. Accused Sunil Kedar approached the applicant and informed him that his bank is having surplus fund and further gave a lucrative

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[Signature]
20/6/2002

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R [proposal to give the surplus fund to them and lured the complainant. Pawanraje Nimbalkar that he should invest the said fund in Government Securities through authorised Share Broker- Home Trade Ltd., Vashi, Navi Mumbai.

Accused Sunil Kedar in connivance with Pawanraje Nimbalkar, the applicant, that he is having very close business relations with Home Trade Ltd., by which his bank was monetarily benefited by way of investment through them. Thereafter the Complainant finalised the deal on telephone and accepted the Cheque of Rs. 30 Crores from Accused Sunil Kedar of NDCC Bank and as directed, issued the cheque to Home Trade Ltd. for purchasing Government Securities. Home Trade Ltd., only issued the bogus receipts and Contract Note to the complainant bank.

Thereafter during the course of inspection at ODCC Bank by NABARD, they found that ODCC Bank does not possess the Original Government Securities physically as such they raised the queries and directed ODCC Bank to take the physical possession of the Government Securities forthwith.

As a result of which applicant started making correspondence with Home Trade Ltd., requesting them to handover the original securities to them. Initially Home Trade Ltd., started giving false plea and assurances and subsequently they disclosed that it is not feasible for them and saying so they issued a cheque No. 695185 in the name of ODCC Bank dated 20/04/2002 for Rs. 30,89,07,975/- of Maharashtra State Co-Op. Bank Ltd. (MSOC Bank) and same was bounced. In the meantime the Complainant contacted accused Sunil Kedar and brought the aforesaid facts to the notice of him when accused Sunil Kedar assured that he would make the arrangement to send the Government Securities by contacting Home Trade Ltd., otherwise he should be held responsible for the same.

In this case during the course of investigation it was transpired that after receipt of aforesaid cheque from ODCC Bank Home Trade Ltd., transferred the amount in the account of NDCC Bank.

After completion of Preliminary Enquiries, a case has been registered at MRA Marg Police Station vide C.R.No. 158/2002 u/s. 420 r/w 120(B) IPC on 05/05/2002 as the offence falls in the jurisdiction of that police station.

It is pertinent to note that application submitted by applicant was treated on FIR and aforesaid case has been registered. It is important to state that FIR is based on information and not on facts.

In the meantime Divisional Sub- Registrar, Shri B.P.Rathod, Co-operative Societies, Latur, M.S. lodged the complaint to Sr.P.I. Osmanabad City Police Station, Osmanabad and a case vide C.R.No.106/2002 u/s. 406,409,420, 34 IPC against the applicant and Directors of Home Trade Ltd. The facts of the said case is based on the corresponding facts of the case filed at this branch.

In the case registered by your police station, the Government Auditor clearly established that the applicant, Bhopalsingh Pawanraje Nimbalkar is solely responsible for the loss incurred the bank and he had connived with the Directors of Home Trade Ltd. and siphoned of Rs. 30 Crores.

It is important to state here that the Home Department, M.S. has directed that all the cases should be investigated by State CID M.S and as per the directions investigation is being conducted as there is a case registered by Osmanabad City Police Station on the corresponding facts and entire offence has been committed in the ambits of Osmanabad. It is proper to investigate the said case by them. EOW CB CID Mumbai has registered the offence unknowingly on the basis of information only and not on facts on 05/06/2002 and Osmanabad City Police Station had registered the case on 08/06/2002 and in that case the applicant/ complainant in this case Bhopalsingh Pawanraje Nimbalkar is the accused.

It is also important to state here that the complainant in this case Pawanraje Nimbalkar had moved a Writ Petition in the Hon. High Court, Mumbai on 07/06/2002 praying in that the case registered on his complaint should be investigated by Mumbai police. The Division Bench comprising Hon. Justice D.G. Deshpande and Justice A.S. Aguiar JJ directed that the case registered at Mumbai should be investigated alongwith C.R.No.106/2002. registered by Osmanabad City Police Station.

Under the aforesaid circumstances, the original case papers of MRA Marg police station C.R.No. 158/2002 U/s. 420 r/w 120(B) IPC is being sent to you for further necessary action.

Yours faithfully,

[Signature]
29/06/2002
Sr. Inspector of Police,
EOW CB CID Unit-1, Mumbai



FIRST INFORMATION REPORT

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Form : 1-A

पहिली खबर

(Under Section 154 Cr.P.C.)

(फौजदारी प्रक्रिया संहितेच्या कलम १५४ अन्वये)

No. 0491416

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1. *Dist. Mumbai *P.S. Fort *Year. 2002 *FIR No. 45702 *Date. 05/05/02
जिल्हा पोलीस ठाणे वर्ष पहिली खबर क्र. तारीख
2. (i) *Act: *Sections. A 20, 120(CB) IPC
अधिनियम कलमे
- (ii) *Act: *Sections.
अधिनियम कलमे
- (iii) *Act: *Sections.
अधिनियम कलमे
- (iv) *Other Acts & Sections :
इतर अधिनियम व कलमे
3. (a) *Occurrence of Offence : *Day..... *Date From 1/2/02 *Date To 23/06/02
अपराधाची घटना वार तारीख पासून तारीख पर्यंत
- *Time Period..... *Time From..... *Time To.....
वेळेचा अवधी पासून पर्यंत
- (b) Information received at P.S. Date : 1/5/02 *Time 1245 hrs.
पोलीस ठाण्यावर माहिती मिळाल्याची तारीख वेळ
- (c) General Diary Reference Entry No(s)..... *Time.....
सर्व साधारण रेजनिशीचा संदर्भ क्र. वेळ
4. Type of Information : *Written / Oral : On Application
माहितीचा प्रकार लेखी / तोंडी
5. Place of Occurrence : (a) *Direction and Distance from P.S..... Beat No.....
घटनेचे ठिकाण पोलीस ठाणे पासून दिशा व अंतर गस्तक्षेत्र क्र.
- (b) *Address Maharashtra State Co.op Bank Ltd
पत्ता Fort, Mumbai
- (c) In case outside limit of this Police Station, then the
या पोलीस ठाण्याच्या हद्दीच्या बाहेर असल्यास, त्या पोलीस ठाण्याचे नांव
Name of P.S. M.R.A. Marg P.S. Dist. : Mumbai
पोलीस ठाणे जिल्हा
6. Complainant / Informant :
तक्रारदार / खबरी
- (a) Name : Parvatkaje Santajirao Nimalkar
नांव
- (b) Father's / Husband's Name : Santajirao Nimalkar
पित्याचे / पतीचे नांव
- (c) Date / Year of Birth : 19/02/1953 (d) Nationality : Indian
जन्म तारीख / वर्ष राष्ट्रीयत्व
- (e) Passport No. : Date of Issue : Place of Issue :
पारपत्र क्र. दिल्याची तारीख दिल्याचे ठिकाण
- (f) Occupation : Farmer
व्यवसाय
- (g) Address : At Gorakhnadi, P.O. Dekhi,
पत्ता Tal. & Dist. Osmanabad.

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Form: I-B

7.

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

No. 0491416

माहित असलेल्या / संशयित / माहित नसलेल्या आरोपीचा संपूर्ण तपशील :

(Attach separate sheet if necessary)

(आवश्यक असल्यास स्वतंत्र कागद जोडावा)

1. Shri. Kedar - Chairman of Nagpur Dist. Central Co-op. Bank Ltd.
2. Chairman & Directors of Home Trade Ltd.

Physical features, deformities and other details of the suspect :

संशयितांची शारीरिक ठेवण, व्यंग आणि इतर तपशील :

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

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

*Languages/Dialect भाषा / बोली भाषा	PLACE OF				
	*Burn Mark भाजल्याची खूण	*Leucoderma कोड	*Mole तीळ	*Scar व्रण	*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 संशयित बदल वरील किंवा अधिक रकान्यातील माहिती दिली तरच भरवी. तपास अधिकाऱ्याने प्राथमिक पातळीवर तपास करण्यासाठी वरील माहिती उपयोगात आणावी.

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

या अनुषंगाने तयार झालेल्या माहितीचा उपयोग संशयिताचा इतर गुन्ह्यांतील सहभाग स्पष्ट करेल.

A comprehensive and complete data on all fields will again be prepared when any accused is arrested irrespective of previous suspicion.

वरील रकान्यातील संपूर्ण माहिती ज्यावेळी संशयितास अटक करण्यात येईल त्यावेळी पुनःच तयार करावी.

- 6 MAY 2002

Q. for delay in reporting by the Complainant/Informant :

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Form: 1-C

No. 0491416

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पनि/खबरीतल तक्रार करपातील विलंबाची कारणे
Franny PE was contacted &
serphently offence was registered

Q. Details of properties stolen / involved (Attach separate sheet if necessary) :
केलेल्या अंतर्भूत मालमतेचा तपशील (आवश्यक असल्यास स्वतंत्र कागद जोडावा) :

Q. Total value of properties stolen / involved : Rs. 30 Crores
मतेल्या अंतर्भूत मालमतेचे एकूण मूल्य :

Q. Report / U.D. Case No., if any :
गान्देशण अहवाल/यु.डी.प्रकरण क्र., जर असल्यास :

R. Contents (Attach separate sheets, if required) :
प्र. खबरीतील हकिगत (आवश्यक असल्यास स्वतंत्र कागद जोडवेत) :

Bank by dishonestly inducing the Complainant
to part with property i.e. Cash of Rs. 30 Crores
on the false pretext of using the said
fund in Govt. Securities as a result of
Criminal Conspiracy u/s 420, 120(B) IPC

Q. Action taken : Since the above report reveals commission of offence(s) u/s as mentioned at Item
0.2., registered the case and took up the investigation/directed*

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

पेलेली कार्यवाही : बाय क्र.2 मध्ये नमूद केलेल्या कलमान्वये अपराध घडल्याचे वरील अहवालावरून दिसून आल्यामुळे प्रकरण
दबले आणि तपासाचे काम हाती घेतले
नाम यांना तपासाचे काम हाती घेण्याचा निर्देश दिला / तपास करपाचे नाकारले / अधिकारिचे
गंवर पोलीस ठाण्याकडे हस्तांतरित केले.

L.N. read over to the Complainant/Informant, admitted to be correctly recorded and a copy given
to the Complainant/Informant free of cost.

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

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

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

*Name: Rejwan Khatlone
नाव

*Rank: P.I. No:
पदनाम क्रमांक

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

6 MAY 2002

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FIRST INFORMATION REPORT

Form : 1-A

पहिली खबर

No 681935

(Under Section 154 Cr.P.C.)

(फौजदारी प्रक्रिया संहितेच्या कलम १५४ अन्वये)

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1. *Dist. Mumbai *P.S. M. R. A. Marg *Year 2002 *FIR No. 158/02 *Date 05/05/02
जिल्हा पोलीस ठाणे Mumbai वर्ष पहिली खबर क्र. तारीख
2. (i) *Act: *Sections 420, 120(B) I.P.C.
अधिनियम कलमे
- (ii) *Act: *Sections.....
अधिनियम कलमे
- (iii) *Act: *Sections.....
अधिनियम कलमे
- (iv) *Other Acts & Sections :
इतर अधिनियम व कलमे
3. (a) *Occurrence of Offence : *Day 1 *Date From 1-2-02 *Date To 23-4-02
अपराधाची घटना वार तारीख पासून तारीख पर्यंत
- *Time Period..... *Time From..... *Time To.....
वेळेचा अवधी पासून पर्यंत
- (b) Information received at P.S. Date: 05/05/02 *Time 15.00 hrs
पोलीस ठाण्यावर माहिती मिळाल्याची तारीख वेळ
- (c) General Diary Reference Entry No(s) 31/02 *Time 15.00 hrs
सर्व साधारण रोजनिशीचा संदर्भ क्र. वेळ
4. Type of Information : *Written / Oral : an application
माहितीचा प्रकार लेखी / तोंडी
5. Place of Occurrence : (a) *Direction and Distance from P.S. Beat No: 4
घटनेचे ठिकाण पोलीस ठाणे पासून दिशा व अंतर गस्तक्षेत्र क्र.
- (b) *Address : Maharashtra state co. op. Bank Ltd
पत्ता Fort Mumbai
- (c) In case outside limit of this Police Station, then the
या पोलीस ठाण्याच्या हद्दीच्या बाहेर असल्यास, त्या पोलीस ठाण्याचे नांव
Name of P.S. Dist. :
पोलीस ठाणे जिल्हा
6. Complainant / Informant :
तक्रारदार / खबरी
- (a) Name : Davanraje Santajirao Nimbalkar
नांव
- (b) Father's / Husband's Name : Santajirao Nimbalkar
विल्याचे / पतीचे नांव
- (c) Date / Year of Birth : 19/2/1953 (d) Nationality : Indian
जन्म तारीख / वर्ष राष्ट्रीयत्व
- (e) Passport No. : Date of Issue : Place of Issue :
पारपत्र क्र. दिल्याची तारीख दिल्याचे ठिकाण
- (f) Occupation : Farmer
व्यवसाय
- (g) Address : At Govardhamwadi Post Dakki
पत्ता Tal. and Dist. Osmanabad

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Statement of Shri pavanraje Santajira

Nimbalwar 21.49 Act. Somnath Per. At Govandamuradi

Post Dokli, Tal. and Dis. Osmanabad. is ~~the~~

recorded by C.B.O. CID. Mumbai vide 00/02

Date. 5/5/02 has been treated as F.I.R. in C.R.

NO 158/02 V/L H20, 120(B) I.P.C.
self

Shri P. Santajira

387.
5/5/02

P.S.I. M.A. Mang.

Police Station.

Mumbai

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G. Pz. P., Pune - 1

Form: 1-C
No 681935

8. Reasons for delay in reporting by the Complainant/Informant :
बद्वाराने/खबर्याने तक्रार करण्यातील विलंबाची कारणे :
Initially P.F. was contacted and subsequent
daily offers was Registered

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

10. *Total value of properties stolen / involved : Rs. 30 Crores
चोरीस गेलेल्या/अंतर्भूत मालमतेचे एकूण मूल्य :

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

12. F.I.R. Contents (Attach separate sheets, if required):
पहिल्या खबरीतील वृत्तिगत (आवश्यक असल्यास स्वतंत्र कागद जोडावेत) :
cheating by dishonestly inducing the complainant
Bank to part with property i.e. cash of Rs. 30 Crores
using the false pretext of using the said framed
in Government securities as a result of
stimulated confidence i.e. h2o, h2o(B), I.R.C

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 the investigation/directed* Sawant V. R.
Rank P.S.I. to take up the investigation/Refused
investigation/transferred to P.S. on point of jurisdiction.
केलेली कार्यवाही : बाब क्र.2 मध्ये नमूद केलेल्या कलमान्वये अपराध घडल्याचे वरील अहवालावरून दिवून आल्यामुळे प्रकरण
नोंदवले आणि तपासाचे काम हाती घेतलेयांना तपासाचे काम हाती घेण्याचा निर्देश दिला/तपास करण्याचे नाकारले/अधिकारिचे
पदनामपोलीस ठाण्याकडे हस्तांतरित केले.
मुद्यावर

F.I.R. read over to the Complainant/Informant, 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/जंगठ्याचा ठसा

Signature of the Office-in-charge, Police Station
पोलीस ठाण्याच्या प्रभारी अधिकाऱ्याची सही
*Name: P.S.I Sawant
नांव
*Rank: P.S.I No:
पदनाम क्रमांक

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

6 MAY 2002

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Z. P., Pune - 1

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Form : 1-B

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

No 681935

माहित असलेल्या / संशयित / माहित नसलेल्या आरोपीचा संपूर्ण तपशील :

(Attach separate sheet if necessary)
(आवश्यक असल्यास स्वतंत्र कागद जोडावा)

- 1) Sunil Kedar = Chairman of Nagpur Dist. Central Co-op. Bank Ltd.
- 2) Chairman and Directors of Home Trade Ltd.

Physical features, deformities and other details of the suspect :

संशयिताची शारीरिक ठेवण, व्यंग आणि इतर तपशील :

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

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

*Languages/Dialect भाषा / बोली भाषा	PLACE OF				
	*Burn Mark भाजल्याची छूण	*Leucoderma कोड	*Mole तीळ	*Scar व्रण	*Tattoo चौदण
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 संशयित बद्दल वरील १ किंवा अधिक रकान्यातील माहिती दिली तरच भरावी. तपास अधिकाऱ्याने प्राथमिक पातळीवर तपास करण्यासाठी वरील माहिती उपयोग्य आणायची.

A database created will subsequently link one suspect in several cases, if any.
या अनुषंगाने तयार झालेल्या माहितीचा उपयोग संशयिताचा इतर गुन्ह्यांतील सहभाग स्पष्ट करेल.

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

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.
CRIMINAL WRIT PETITION NO: 764 OF 2002.

Bhopalsingh Pavanraje Nimbalkar : Petitioner.

v/s.

The State of Maharashtra & ors. : Respondents.

Mr. Ramrao Adik, SR. Counsel with Mr. Peter Lobo for the petitioner.

Mr. B.R. Patil, Acting P.P. for the State/respondents.

CORAM : D.G. DESHPANDE &

A.S. AGUIAR, JJ.

DATED : JUNE 17, 2002.

P.C.

The grievance of the petitioner is that even though he has lodged his complaint to the police on 5.5.2002 and the offence is registered vide C.R.No.158 of 2002 with MRA Marg Police Station, the police have not made any progress and no investigation is carried out so far. The learned APP, upon instructions, states that the concerned police are sending ^{the} papers of the aforesaid C.R. to Osmanabad police for further investigation to be investigated along with C.R.No.106 of 2002 registered with Osmanabad City Police Station. In


श्री. स. उस्मानाबाद (क.)

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view of this statement, the petition is disposed of. All concerned parties to act upon ordinary copy of this order duly authenticated by the Court Sheristadar.



Presented personally - D-346
ACP I - PI. put up for n/a - Urgent - (13)
+ Sr PI Unit I
29/4

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29th April 2002

To,

The Deputy Commissioner of Police,
Economic Offences Wing - Crime Branch
C.I.D.,
Crawford Market,
Mumbai - 400 001

Sr PI Unit I
For n/a
29/4/02

LW. 1268 / Def. 200 / 2 H 29/4/02

Sir,

L.W. No. 1312 DCP (EO)
Dt. 29/4/02

I, Pavanraje Nimbalkar am the Chairman of the Osmanabad District Central Co-operative Bank, Osmanabad, Maharashtra.

Our Bank is headquartered at Osmanabad and we have around 94 branches and deposits of about Rs. 430 crores.

Osmanabad is one of the economically most backward districts of Maharashtra. There is almost no industrialization in this district. Also, owing to low rainfall and non-existence of any major irrigation projects in this area, agricultural development is fairly low. This has affected the general economy of this region adversely.

[Signature]
M. D. ... (S.)

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(17)

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Nagpur D.C.C. Bank had lot of surplus fund available for deployment. In fact he lauded the efforts being undertaken by our Bank for the development of our region and said that, he was aware that, our Bank needed funds for disbursement of loans, as it was in the process of widening its advances base. Shri. Sunil Kedar further offered that, he is ready to lend large amounts to our Bank which could be utilised by us, for our Banking business.

This offer was taken up by us and we decided to accept the offer and accordingly a formal letter of request was given to the Nagpur District Central Co-operative Bank, followed by their Deposit of Rs.20 crores, which was confirmed by us under Receipt no. 174592 dated 6th December 2001.

The subsequent events have led us to believe that the above referred transaction was only to gain our confidence and was a part of the greater plan for cheating us for a larger amount and for this reason, we are approaching your good-self in the circumstances mentioned in detail hereinafter.

That, some time in the 3rd week of January 2002, Shri. Sunil Kedar again approached us and offered a further deposit of Rs.30 crores, at the

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Since our Bank is from a backward area of the State of Maharashtra, we did not have much experience in the buying and selling or investments in securities. Furthermore, Shri. Sunil Kedar being an ex-Minister, as well, a very influential political leader and the Chairman of one of the richest District Central Co-operative Bank's in the State of Maharashtra, we naturally relied upon the representation made by Shri. Sunil Kedar and accepted his offer and sent our offer letter dated 29th January 2002 to the General Manager of the Nagpur D.C.C. Bank.

In pursuant to this letter the Nagpur District Central Co-operative Bank transferred the amount of Rs.30/- Crores into our account bearing Current Account No.73/4701, in the Maharashtra State Co-operative Bank, Head Office, Mumbai, on 31st of January 2002.

Trust

As stated earlier, since we did not require this amount for immediate disbursement, and to cut down our liability on the payment of interest to the Nagpur District Central Co-operative Bank, on the idle funds, we decided to follow the advise of Shri. Sunil Kedar and decided to invest the immediate surplus in Government Securities through Home Trade Ltd..

Accordingly transferred the entire amount to the account of M/s. Home Trade Limited, Mumbai, in their Account bearing Current Account No.3A/17031, in the same Bank i.e. Maharashtra State Co-operative Bank, Head Office, Mumbai.

We basically dealt within the matter of Investment into Government Securities at the instance of Shri. Sunil Kedar, with (a) Sanjay Agarwal, (b) Subodh Bhandari, (c) Ketan Sheth, and (d) N.S. Trivedi of M/s. Home Trade Limited, having their offices at International Infotech Park, Tower no. 4, 5th Floor, Vashi Railway Station Complex, Vashi, Navi Mumbai 400 703.

We were given the receipts as well as, the bills and contract notes, duly signed by the Authorised Signatory for and on behalf of M/s. Home Trade Limited, dated 31st January 2002, and 1st of February 2002, respectively. The authenticated photocopies of the Account Extracts of our Bank, as well as of the M/s. Home Trade Limited, the receipts contract notes, etc., are attached to this complaint at Annexure-I collectively.

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At the relevant time, our inspection by the NABARD Bank, Pune, was going on. We were told that as per the R.B.I. guidelines, if we had invested in Government Securities, we must have the physical custody of the same or their RBI receipts. We therefore informed M/s. Home Trade Limited to send R.B.I. Receipts and the other necessary documents. We received no satisfactory reply from the M/s. Home Trade Limited. We kept on corresponding with them right upto the first week of April, 2002. However, we were not given any such Securities or R.B.I Receipts. Ultimately, when it was found that, M/s. Home Trade Limited were neither in a position to honour their commitment nor definitely commit the date for the delivery of these documents, M/s. Home Trade Limited agreed to pay back our money with interest.

M/s. Home Trade Limited then issued a cheque of Rs.30,89,797,50/-, dated 20th April, 2002, drawn on the Maharashtra State Co-operative Bank Ltd., on the Account maintained by them. We deposited this cheque for realisation in our Account on 23rd April 2001, and the same was not honoured on the ground of insufficiency of funds.

On making enquiry, we learnt that M/s. Home Trade Limited had a meagre amount in their

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account between 20th April 2002 and 23rd April 2002 and they had insufficient balance and had no sufficient funds to honour the said cheque.

Shocked by these events, we immediately conducted a preliminary inquiry and found that

1. on the very date on which we transferred an amount of Rs.30 crores, in the Account of M/s. Home Trade Limited, for purchase of Government Securities, the said M/s. Home Trade Limited had transferred this entire money (less the Banks's service charge of Rs. 3000/-) back into the Account of the Nagpur District Central Co-operative Bank Ltd. of which Shri. Sunil Kedar is the Chairman.

*Intention
to
cheat*

2. The Current Account No.3A/17031 maintained by M/s. Home Trade Limited in Maharashtra State Co-operative Bank, Mumbai, appears to have been maintained only for the benefit of Nagpur District Central Co-operative Bank, as the Account Extract of M/s. Home Trade Limited, shows that most of its business is only with Nagpur District Central Co-operative Bank.

3. That the Account of M/s. Home Trade Limited had been introduced by the General Manager of Nagpur District Central Co-operative Bank, Nagpur.
4. At no point of time, after we transferred the money to M/s. Home Trade Limited it was in a position to purchase on our behalf Government Securities, worth Rs.30 crores (as per entries in their Account Extract).
5. That, at no point of time M/s. Home Trade Limited have purchased Government Securities, even to partially satisfy the contract.

All these facts lead us to suspect that in collusion with each other Shri. Sunil Kedar and M/s. Home Trade Limited have tried to cheat our Bank to the tune of Rs.30 crores. In the process it appears M/s. Home Trade Limited, has consciously allowed itself to be used by Shri. Sunil Kedar for the purpose of cheating our Bank. The movement of the entire amount of Rs.30 crores shows that the amount is only shown to have been advanced to us, and has in-fact been taken back through M/s. Home Trade Limited probably with malafide intentions of being siphoned off. The entire transaction has been done by us only because

Shri. Sunil Kedar offered the Deposit money and also offered the so-called very reliable and trust worthy services of M/s. Home Trade Limited. In-fact the preliminary inquiry made by us revealed a definite nexus between Shri. Sunil Kedar and Nagpur District Central Co-operative Bank on one hand and the persons named above of M/s. Home Trade Limited on the other. We have been cheated in this entire process. However more detailed investigations are expected to throw further light on this transaction, as well as over such transactions which might have been entered into with other un-suspecting Banks and other Institutions.

We also feel that M/s. Home Trade Limited never from the very beginning intended to honour its commitment nor they were in a position to undertake such a task on our behalf. Their intention from the very beginning was to cheat and misappropriate this amount in connivance with the other known and unknown persons.

As the facts indicate, most of the events leading to the filing of this complaint have taken place in Mumbai. We have maintained a current account in Mumbai, as have M/s Home Trade Ltd. and the Nagpur D.C.C. Bank Ltd.. The offences of fraud and cheating

have taken place in Mumbai and therefore we are approaching your good-self.

We therefore request that, offences under the relevant provisions of the Law to be registered against (1) Shri. Sunil Kedar, (2) Other Responsible Officers of Nagpur District Central Co-operative Ltd., (3) Shri. Sanjay Agarwal, Shri. Subodh Bhandari, Shri Ketan Sheth and Shri. N. S. Trivedi of M/s. Home Trade Limited, and (4) other persons responsible for the said fraud committed on our Bank. Further we request that investigations be initiated on an urgent basis to prevent any further siphoning off of funds.

Yours truly,


श्री. पवनराजे निंबाळकर
चेअरमन:- सी.सी.सी.बँक
उस्मानाबाद
Pavanraje Nimbalkar,

Chairman,

Osmanabad District Central Co-operative Bank Ltd.,

Osmanabad.

Annexure - I

Authenticated photocopies of :

Sr. No.	Details	Page No.
1.	Account opening form of M/s. Home Trade Ltd.	1
2.	Account Extracts of M/s. Home Trade Limited	2-5
3.	Letter from M/s Home Trade Ltd. dtd. 1 st February 2002 confirming receipt of Rs. 30 crores	6
4.	Letter from M/s Home Trade Ltd. confirming the transaction of purchase of Securities	7
5.	Letter from Osmanabad DCC Bank dtd. 05 th February 2002 demanding Securities	8
6.	Letter from M/s Home Trade Ltd. dtd. 6 th February 2002 confirming the holding of securities	9
7.	Letters from M/s Home Trade Ltd. dtd. 31 st January 2002 confirming the transactions	10-14
8.	Contract Notes from M/s. Home Trade Ltd. confirming the transactions	15-19
9.	Letters from Osmanabad DCC Bank dtd. 6 th February 2002, 20 th February 2002, 1 st March 2002, 6 th March 2002, 8 th March 2002 and 3 rd April 2002 demanding Securities.	20-25
10.	Letter from M/s Home Trade Ltd. dtd. 12 th April 2002 confirming that the securities will be received by them by 30 th April 2002	26
11.	Dishonoured cheque issued by M/s Home Trade Ltd.	27
12.	Form No. A-31 from the MSC Bank Ltd. stating reasons for cheque being dishonoured.	28

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Further statement of Shri Pavanraje Santajirao Ambalkar, H/ 49 years, Occ: Farmer, R/o.At: Govardhanwadi, P.O.: Dokhi, Tal: & Dist. Osmananabad. Tel.No. 02472-32011.

In continuation of my previous application dated 29/04/2002 addressed to Dy. Commissioner of Police (EOW), Mumbai for the alleged offence of cheating and embezzlement of funds to the tune of Rs. 30 Crores by the Directors of Home Trade Ltd., and the Chairman and other office bearers of Nagpur District Central Co-Op. Bank Ltd., Nagpur, Shri Sunil Kedar and others. I want to further state as under:

In continuation of my aforesaid application today i.e. on 05/05/2002 I was called at the office of EOW CB CID Mumbai where I was shown the aforesaid application bearing my signature. I identified the same to be of mine.

In this regard I want to further state that during the course of inspection conducted by National Agricultural Bank for Rural Development (NABARD) in the year 2000 -2001, at that time we brought the facts to the notice of NABARD that we had invested Rs. 30 Crores through Home Trade Ltd., in Government Securities and showed the Contract Note, at that time they informed that in event of such type of investment, physical possession of Original Government Securities Notes / documentation are absolutely mandatory. It is pertinent to note that being the Chariman, I was not aware about the same. After receipt of the said information my bank started making correspondnece with Home Trade Ltd., regarding the same.

Thereafter we received 2 letters from Home Trade Ltd., alongwith one FAX message informing that they would furnish the same before 30/4/2001, but they failed to do so. I then personally contacted Mr. Sunil Kedar at the Head office of Maharashtra State Co-op. Bank Ltd., Mumbai in the Board Meeting because myself and Sunil Kedar are the nominated Executive Directors of the bank. At that time Sunil Kedar told me that Home Trade Ltd., would issue the original Government Securities and in event of any problem he should be held responsible.

After that the news about the Scandal of Nagpur District Central Co-Op. Bank Ltd., appeared in all leading Newspapers in which it was mentioned that Sunil Kedar, the Chairman of the bank is resposbile for the same and had cheated his own bak (NDCC) as well as our bank (ODCC). After reading the said news I was shocked and I immediately consulted my legal department and as per their advice I

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submitted the aforesaid application to DCP (EOW) Mumbai for registration of an offence in the said matter.

This is all I have to state.

My statement recorded in the office of EOW CB CID Mumbai today i.e. on 05/05/2002 between 1215 hours to 1240 hours.

Statement read by me and is correct.

Before me,



(Rajan Katdare)
Police Inspector,
EOW CB CID Unit-1,
Mumbai.
05/05/2001

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