

First information of a Cognizable Crime  
Reported under section 154 of Code of Criminal  
Procedure,

Sub-District: Varachha Police Station, District  
Surat

No.I. Cr.R.No. 274/2002.

Date and hour of Occurrence: Dt.6/12/2001 to  
till today.

1. Date and hour when reported : Dt.6/8/2002

Hour: 10.15

2. Place of occurrence and distance and  
direction from the Police Station: Surat

Nagarik Sahkari Bank Limited, Behind Gitanjali  
Cinema, Varachha Road, North of Police Station,  
Rafarlon Sardar Choki.

3. Date and Time of despatch from Police  
Station: Dt.6/8/2002.

4. Name and residence of informer and complainant: Mr.Naineshbhai Arvindbhai Chitaniya, Age-33 years, Occupation-Service, Resi.27/8, Fifth FloorSamrat Apartment, Soni Faliya, Surat.

**5. Name & Address of the Criminal: Competent Authority Surat Nagarik Co-operative Bank Ltd.**

(1) Om Trade Limited, having its head office at 4-5, Vashi, Railway Station Complex, Mumbai-400703.

(2) Mr. Nandkishor Shankarlal Trivedi, Age-45 years, Occupation-Business, Resi. Dev Bhuvan, Second Floor, Room No.32, Gajdar Mahollo, Mira Bazar, Mumbai-2.

(3) Mr. Ketan Kantilal Sheth, Age-40 years, Occupation-Business, Resi. 193, Lalit Kutir (C.H.50) Third Floor, Gulmahor Cross Road, Road No.9 (J.V.P.D.), Mumbai-400049.

(4) Mr. Sanjay Hariram Agrawal, Age-35 years, Occupation-Business, Resi. Juhu

Shalimar, C.H.S. Limited, Seventh Floor, Gulmahor Cross Road, Road No.9 (J.V.P.D.), Mumbai-400049.

- (5) Mr. Subodh Bhandari, Age-46 years, Occupation-Business, Resi. 704/B, Govind Complex, Sector-14, Vashi, Vubrey, Navi Mumbai-400705.
- (6) Mr. Hiten Bhupendra Shah, Age-Adult, Occupation-Business, Resi. 102, Gandhi Nivas, Ashoknagar Road, Vakola Shanta Kruz, Mumbai-400005.
- (7) Mr. Hiren Gada, Age-Adult, Occupation-Business, Resi. Mumbai, whose address is unknown at present.
- (8) Mr. Shashank Gopal Ranade, Age-40 years, Occupation-Business, Resi. 3/1, Radhakrushna Nivas, Ground Floor, Dasvadi, S.K. Bole Road, Dadar, (C.W.J.) Mumbai-400028.
- (9) Mr. Vijay Himatlal Modi, Age-46 years, Occupation-Business, Resi. A/203, Amita

- Co.Op. Housing Society Limited, Kulupa Vadi Road, Borivali (East), Mumbai-400066.
- (10) Mr. Salil Dinkarlal Gandhi, Age-43 years, Occupation-Business, Resi. 11/13, Gold Coin Co.Op. Housing Society Limited, Tar Dev, Mumbai-400034.
- (11) Alan James Megmilan, Age-41 years, Occupation-Business, Resi. 785, Kestro Street Monteneu, C.A. 94041, U.S.A.
- (12) Rasal Bankfem Vegar, Age-Adult, Occupation-Business, Resi. Timber Hill, Teriz Aayan Field, M.O. 1940, U.S.A.
- (13) Mr. Mike alias Manoj Ambelal Shah, Age-58 years, Occupation-Business, Resi. Belari Road, R.M.V. Extension Bangalore-5060080.
- (14) Mr. Dhananjay Agrawal, Mumbai, Age-Adult, Occupation-Business, Resi. Mumbai, whose address is unknown at present.

- (15) Mrs. Shilpa Riten Shah, Age-Adult, Occupation-Business, Resi. 102, Gandhi Nivas, Ashok Nagar Road, Vakola, Shant Kruz Road, Mumbai-400055.
- (16) Mrs. Jagruti Ketan Sheth Age-Adult, Occupation-Business, Resi. 193, Lalit Kutir, (C.H.5) Third Floor, Gulmahor Cross Road Number 9 (J.V.P.D.) Mumbai-400049.
- (17) Ms. Kanan Mevawala, Age-28 years, Occupation-Business, Resi. Jayant Mahal, Fifth Floor, Opp. Wankhede Stadium, Marine Drive, Mumbai-18.
- (18) Mr. Ketan R. Maskiya, Age-35 years, Occupation-Business, Resi.Mumbai, whose address is unknown at present.
- (19) Mr. Niraj A. Surati, Age-34 years, Occupation-Business, Resi. Surya Flat, First Floor, Surya Shopping Complex, Bharuch, Dist.Bharuch.

6. Brief description of offence along with section and of property carried off, if any-

7. Steps taken regarding investigation explanation of delay in regarding information.

8. Dispose off the case:

Sd/-

(Sign)

Designation

NOTE:- The signature of the seal or thumb impression of the informer should be at the end of the information and the signature of the Writer of (FIR) should be existed as usual.

C.P.C. 14 g

No.051

First information of a Cognizable Crime Reported under section 154 of Code of Criminal Procedure,

Sub-District: Varachha Police Station, District Surat

No. I.Cr.R.No. 274/2002 continue.

Date and hour of Occurrence:

1. Date and hour when reported : -

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3. Date and Time of despatch from Police Station: -

4. Name and residence of informer and complainant: -

5. Name & Address of the Criminal: Competent :

(20) Mrs. Shruti Niraj Surti, Age-Adult,  
Occupation-Business, Resi. Surya Flat,

First Floor, Surya Shopping Complex,  
Bharuch, Dist.Bharuch.

**6. Brief description of offence along with section and of property carried off, if any.**

From the beginning, accused, with their intention to defraud, could not deal in government securities. in SEBI, however, they gave false SEBI certificates and made sales-purchase with the complainant, and neither did they have any government securities nor did they contract to buy government securities with anyone else.

However, the accused who gave false contracts etc., documents knew from very beginning that they knew all the wrong deeds. All the aforesaid accused in connivance with each other have made misrepresentations and false promises to the complainant bank from the beginning, maliciously, fraudulently induced with dishonest intention to defraud and betray

and has cheated by usurping a huge amount of Rs.16,09,60,500/- (in words Rupees Sixteen Crore Nine Lakh Sixty Thousand Five Hundred Only. And forged valuable documents, contracts, SEBI certificates and used them as contracts. Thus, the said matter of committing an offense under IPC Sections 406, 420, 406, 465, 467, 468, 471 and 114.

7. Steps taken regarding investigation explanation of delay in regarding information.

8. Dispose off the case:

Sd/- illegible

(Sign)

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**Complaint**

**Dt. 6/8/2002**

The complainant Mr. Naineshbhai Arvindbhai Chitaniya, Age-33 years, Occupation-Service at Surat Nagarik Cooperative Bank Limited Competent Authority, Resi.27-C Samrat Apartment, Fifth Floor, Soni Faliya, Soni, on 1/8/2002 filed a written complaint to Police Commissioner, Surat City Office vide letter No. J/App/21886/2002 and crime registered on 5/8/2002, according to which the complaint is as follows:

The brief facts of the complaint of the complainant is that,

- (1) The complainant is working as a Competent Authority at Surat Nagarik Cooperative Bank Limited and conducting banking activity since last 29 years, and it is also registered as Cooperative Board of

District Registrar Co-operative Society. The resolution No. 8(7) dated 24/5/2002 was passed by the Board of Directors of Surat Nagarik Co-operative Bank, and allocates powers to proceed legally against the accused in this complaint, and thus, this complaint is filed accordingly.

- (2) Surat Nagarik Co-operative Bank which is hereinafter referred to as the Said Bank. The said bank has to operate in accordance with the circular issued by the Reserve Bank of India from time to time, and thus to maintain the security liquidity reserve fund limit in a circular to invest 25% of net time and demand liabilities in government securities or approved securities as specified by the Reserve Bank.

Accused No. 19 and 20 met the Said Bank on behalf of Accused No. 1 Om Trade Limited. And

accused No.1 along with the directors often used to give information about Government security on his mobile also. And they used to induce to buy various government securities from Mumbai frequently and to buy the securities saying that there will be profit in that security. Accused Nos. 19 and 20 had frequent talks with directors 2 to 18 of accused No. 1.

C.P.C. 14 g

No.052

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Sub-District: Varachha Police Station, District  
Surat

No. I.Cr.R.No. 274/2002 continue.

Date and hour of Occurrence:

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4. Name and residence of informer and  
complainant: -
5. Name & Address of the Criminal: Competent :
6. Brief description of offence along with  
section and of property carried off, if any.

7. Steps taken regarding investigation explanation of delay in regarding information.

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And accused Nos. 2 to 18 were also involved and taking active part in the business of accused No. 1. And therefore, they often told the Said Bank to buy government securities. And through them and if the security suggested by them is to be bought, then they were also saying to get a huge profit from it. The said bank has repeatedly bought government security from

the accused after trusting him with such tempting and alluring talk. And the first government security was purchased to give the said bank more confidence. And also given its physical delivery. And Government Security has also been transferred in the name of the said Bank. And thus, gradually instilled absolute confidence in the Board Of Directors of the said bank.

- (4) A meeting dated 6/12/2001 was also held at the Said Bank by the accused. In the meeting at around 4.30pm evening, On behalf of accused no.1 Om Trad, Accused No.19 Niraj Surti, Accused No.3 Ketan Sheth, Accused No.17 Miss Kanan Mevawala and Accused No.2 M.S. Trivedi were present. And in that meeting, the said bank was further enticed by the security that was with the bank mentioned below worth Rs.12.50 crore.
- G.O.I.10.47% -2014-7.50 crore (face value)

and

G.O.I. 10-70% -2020-5.00 Crore (face value)  
They enticed the said bank to sell and give them more leverage and to buy another security against it if they sold it. And the above four accused persons on be hand of said Accused have been induced to furnish the under mentioned security at a low price

**Security detail**

G.O.I. 2010-7.50%- 10.00 crore  
(face value) and  
G.O.I. 2009-7.00%- 5.00 crore  
(face value),

total 15.00 crore

These persons enticed the officials of the said bank with tempting talk and sold the above security face to face with the bank, and settlement was made on 7/12/2001; according to the settlement, the accused who were present gave an agreement to

deliver the security of Rs.15 crore in 4 to 6 weeks.

- (5) The said security was not delivered within the time as stated and stipulated by the accused. So the said bank made repeated calls by phone, fax. The accused did not give the security of 15 crores despite a long time. And on 21/2/2002 instead of giving delivery of that security, Accused No.19 Niraj Surti, Accused No.3 Ketan Sheth, Accused No.17 Miss Kanan Mevawala and Accused No.2 M.S. Trivedi visited the bank. And the accused said that if the security of 15 crores purchased is sold and below mentioned new security is purchased, the interest compensation will be increased.

C.P.C. 14 g

No.053

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Sub-District: Varachha Police Station, District  
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5. Name & Address of the Criminal: Competent :
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**Security details**

G.O.I. 2017-8.07%- 15.00 crore (face value)

The above accused on behalf of the accused no.1 has lured the said bank with higher interest and has already been bought with a new security loan. And that security with face value of 15 crores along with interest, said that our bank has to give a

new total amount of Rs.16,09,60,500/- (in words Rupees Sixteen Crore Nine Lakh Sixty Thousand Five Hundred Only), and said to give delivery of this security within four weeks. The accused have given a contract in this regard and also said to deliver it in four weeks.

- (6) The complainant Bank had to correspond with the accused, and made telephone them as the said bank did not get delivery of government security. Pursuant to which, the accused gave a reply to the bank on 23-1-2002 that as the Security is to be transferred from R.B.I. offices in different states, part delivery will be completed on 30-1-2002 and 7-2-2002. And thereafter Accused No. 1 of Om Trade Limited sent a fax of Rs.5 Crores of 7.50% and Rs.3 Crores of 7.00% to Riddhi Co-operative Bank Limited RBI Bangalore Receipt No.312 dated 8/12/2001 and then 5 crores of 7.50%-2010 and 2 crores of 7%-2009 of Borat District Co-Op. Bank Limited Reserve Bank Calcutta T.D.O. Receipt No. 14447 dated 8-12-2001. Thereafter, Security of Rs.15 crore of 8.07%-2017 dated 20-2-2002 was purchased by the bank through the Directors of Accused No.1. In the meeting he promised to deliver

the said Security in four to six weeks and delivery would be done on 25-3-2002 i.e. before March ending. Therefore, an urgent letter was written to accused no. 1 and accused no. 19 through fax and courier on 26-3-2002 and stated that instead of the security receiving on 25-3-2002, the delivery has not been received till today. In response to that, a message from the accused No. 1 was received through fax dated 26-3-2002 that delivery of security worth Rs. 15 crores would be received in the first week of April. During this time, the security worth Rs 15 crore was sought for delivery several times over the telephone. However, when the delivery was not received as mentioned by the accused, the bank called on 3-4-2002 and asked for an urgent meeting on 4-4-2002. And in that meeting, it seemed from the discussion with the accused that the accused knew about the contracts they

had given to the bank so far were bogus and false. So, when the bank forced the accused, they gave the following two cheques in the name of the bank.

- (1) H.D.F.C. Bank, Nariman Mumbai Cheque  
No.984290 dated 14-6-2002 worth  
Rs.7,85,47,058.33/-
- (2) H.D.F.C. Bank, Nariman Mumbai Cheque  
No.984291 dated 21-6-2002 worth  
Rs.8,98,93,600.00/-.

Moreover, the accused have given Riddhi Sahakari Bank Limited RBI Bangalore Receipt No. 312 dated 8-12-2001 and Borat District Co-Op. Bank Limited Calcutta Reserve Bank T.D.O. Receipt No.14447 dated 8-12-2001 to this bank. Upon verification of the receipts by the Reserve Bank, it came to the notice of the Reserve Bank of India that the said receipts were bogus and fabricated, the Reserve Bank of India informed the bank about it through the letter dated 13-6-2002.

Also, instructions have been given to take criminal action against the accused.

No.054

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Procedure,

Sub-District: Varachha Police Station, District  
Surat

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(7) From the beginning, the accused, with their intention to defraud, could not deal in government securities in SEBI, however, they gave false SEBI certificates and made sales-purchase with the complainant, and neither did they have any government securities nor did they contract to buy government securities with anyone else. However, the accused who gave false

contracts etc., documents knew from the very beginning that they knew all the wrong deeds. All the above-mentioned accused in connivance with each other have made misrepresentations and false promises to the complainant bank from the very beginning, maliciously, fraudulently induced with dishonest intention to defraud and betray and have cheated by usurping a huge amount of Rs.16,09,60,500/- (in words Rupees Sixteen Crore Nine Lakh Sixty Thousand Five Hundred Only) And forged valuable documents, contracts, SEBI certificates and used it as contracts. Thus, the said matter of committing an offense under IPC Sections 406, 420, 409, 465, 467, 468, 471 and 114.

- (8) The Bank has filed this complaint against the accused mentioned hereinabove and also a complaint against the persons during the

course of investigation, if anyone else who may have participated or assisted in the criminal activity mentioned in this complaint

Our witnesses are as follows:

- (1) Mr. C.C. Shah
- (2) Mr. Mahesh K. Vaidya

More witnesses will be taken if required.

Surat Nagarik Co-	For Surat Nagarik
Op.Bank Limited,	Co-Op.Bank Limited,
Surat	Surat
Stamp of Bhagal	Sign
Branch	Mr. N.A. Chitaniya
Dt.6-8-02	Competent Authority
	Stamp

Photocopies of the required documentary evidence No.1 to 30 is enclosed herewith.

Copy f.r.t.:

Hon'ble Chief Judicial Magistrate Sir

Surat City

Dt.6-8-2002

Sd/- and Roud Seal of

(G.K.Chaudhari)

Police Inspector

Varachha Police Station

Surat City

Copy from the original

Sd/- illegible

Police Inspector

Varachha Police Station

Surat City