RC No. S18/99/E-0006
CBI/SIU-VIII/ND
CBI v. Abhishek Verma
New Case No. 40/2016

09.11.2016

Statement of accused Abhishek Verma S/o Shri Srikant Verma, aged about 49 years R/o Appartment no. 406, Sanskar Appartment, Uttam Nagar, New Delhi, u/s. 313 Cr.P.C

Without Oath.

Q1. It has come in evidence against you that passport bearing no. A2200937 was initially issued to you by the Passports Authority and the original passport bearing no. A2200937 along with its additional booklet was handed over by you to the Officers of Enforcement Directorate vide acknowledgment dated 16.07.1999 which is Ex.PW5/2. What do you have to say?

Ans: It is correct that passport bearing no. A2200937 along with additional booklet was issued to me by the passport authority but it is incorrect that the same was handed over by me to ED officers on 16.07.1999. In fact, photocopy was taken for verification purposes and the original was handed over to me which is evidence from the summon served on

me by the ED officers on 16.07.1999 in which I have been asked to bring the original passport to the ED office during my appearance. The income tax authorities had raided my house on 16.07.1999 (early morning) and remained in my house for about 40 hours. A panchnama was also prepared by them in which PW5 Shri P.K. Suman had also signed as a witness wherein the documents seized by the CBI along with the passport were handed back to me.

Q.2.: It has further come in evidence against you that thereafter you had lodged a false complaint/ application dated 23.08.1999, which is Ex. PW 4/1 regarding loss of your passport at P.S. Tuglak Road and on the basis of the same NCR Ex.PW1/K was registered. What do you have to say?

Ans: It is incorrect. In fact, I could not trace my passport in the house as construction was going on and had therefore filed the complaint with P.S Tuglak Road regarding my passport being not traceable.

Q.3. It has further come in evidence against you that you had appeared before Shri K.C Jain, Notary Public and sworn false affidavits Ex. PW1/L and Ex. PW1/N to the effect that your passport has been lost and the said affidavits were attested by the Notary

Public. What do you have to say?

A. It is incorrect that the affidavits were false as the contents stated therein were true and correct. But it is correct that the same were filed with the passport office as a requirement by the PRO for issuance of a duplicate passport.

Q.4. It has further come in evidence against you that you had filed an application for issuance of passport in lieu of lost passport in the prescribed form which is Ex. PW1/A representing that your original/ initial passport had been lost. What do you have to say ?

A. It is correct since I could not trace the original at my house, I had therefore intimated the police and had also applied for a duplicate passport so that the original could not be misused.

Q5. It has further come in evidence against you that the request letter for early issuance of passport in your name which is Ex. PW1/G along with its enclosures Ex.PW1/I and Ex.PW1/J (showing urgency for issuance of passport) along with your verification certificate (issued by Shri Tapash Dass Gupta) which is Ex.PW1/H and copy of ration card Ex.PW1/M were also submitted by you with the Passports Authority. What do

you have to say?

A. It is correct that the documents mentioned above may have been submitted by me or by my office staff while applying for the duplicate passport but the original of ration card as well as of the offer letter have not been produced.

Q.6. It has further come in evidence against you that you had approached PW8 Shri Pawan Kumar Gupta, Assistant in the Passport Office and he had guided you with respect to the procedure and the documents required for issuance of duplicate passport and had introduced you to the PRO of the Passport Office for help. What do you have to say?

A. It is correct.

Q.7. It has further come in evidence against you that the noting of Shri S.S Khanna for issuance of passport in your favour is Ex. PW1/D. What do you have to say?

A. I do not know.

Q8. It has further come in evidence against you that the Passport Office received CID report vide diary

no. 26490-A dated 15.09.1999 which is Ex. PW1/E along with your personal particular form Ex. PW1/F. What do you have to say?

A. I do not know. However, my verification was conducted by CID.

Q.9. It has further come in evidence against you that pursuant to your application and representations passport no. B0130584 dated 15.09.1999 was issued in your name which is Ex. PW1/O whereupon at Ex.PW3/1 at point A to A it was specifically mentioned that this passport has been issued in lieu of passport no. A2200937 dated 09.05.1997 (issued at Delhi) which has been lost / reported to have been lost. What do you have to say?

A. It is correct.

Q10. It has further come in evidence against you that RC bearing no. 6/99 dated 17.12.1999 was registered by CBI on the basis of source information and the same is Ex. PW12/B. What do you have to say ?

A: I do not know. In fact, this case is a false case and politically motivated as my mother was a M.P at that time and the Vice President of the Mahila Congress. The source information as stated by CBI is a

concocted story.

Q11. It has further come in evidence against you that file no. 13D/2346/97 dated 31.03.1997 regarding issuance of passport no. A2200937 in your name was seized by IO Inspector R.K. Saha vide memo Ex.PW2/A and the said file is Ex.PW2/A-1 and a letter dated 13.01.2000 written by Shri O.P. Galhotra, S.P., CBI to RPO, Bhikaji Cama Palace in this respect is Ex.PW12/D. What do you have to say ?

A. I do not know.

Q.12. It has further come in evidence against you that file bearing no. 13D006311/99 pertaining to issuance of passport no. B0130584 in your name received by IO from RPO, Bhikaji Cama Palace in terms of fax message Ex. PW12/A. What do you have to say?

A. I do not know.

Q.13. It has further come in evidence against you that file pertaining to issuance of passport no. B0130584 in your name was received by IO pursuant to Ex. PW 12/D and the said file is Ex. PW 12/E. What do you have to say?

Ans: I do not know.

Q14. It has further come in evidence against you that HC Nathu Ram of P.S Tuglak Road had handed over documents - your application dated 23.08.1999 addressed to SHO, P.S Tuglak Road, Ex. PW 4/1, and NCR Ex.PW1/K to the IO which were seized vide memo Ex.PW7/A. What do you have to say?

A. I do not know.

Q.15. It has further come in evidence against you that you had confessed before PW 11 Virender Singh Rawat, Advocate that you had obtained passport no. B130584 after giving a false affidavit and false NCR lodged by you to the effect that your earlier passport had been lost and you had surrendered your previous passport with Enforcement Directorate. What do you have to say?

Ans: It is incorrect. In fact, PW11 in his cross examination has admitted the fact that the ED officers had served the summons dated 16.07.1999 on me for appearance before their office and there was specific direction in the said summons to bring the original passport along. PW11 has also stated that he was provoked to make such statement before this court and

no such statement was made by him before the CBI as at the time of his deposition before the court his relations with me were sour. Nothing incriminating has come in his testimony against me.

Q.16. It has further come in evidence against you that afterwards on your request PW 11 Virender Singh Rawat, Advocate had collected your original passport no. B0130584 Ex. PW 1/O from your Safdarjang Office/ Residence and handed over the same to CBI on 18.12.1999 which was seized vide memo Ex.PW11/A. What do you have to say?

A. It is correct. However, at that time I was in custody of ED.

Q17. It has further come in evidence against you that your acknowledgment dated 16.07.1999 (Ex.PW5/2) regarding handing over of passport no. A2200937 to Enforcement Directorate was seized by IO vide memo Ex.PW12/C. What do you have to say?

A. It is incorrect. Only the photocopy of the passport was taken by the ED officials and the original was handed back to the Income Tax officials who were at that time present in my house as their raid was going on.

Q18. It has further come in evidence against you that vide letter Ex. PW5/1 dated 11.01.2000 IO had received attested photocopies of passport no. A 2200937 and other documents which are Ex.PW12/F collectively from the Enforcement Directorate. What do you have to say?

A: The IO has falsely implicated me in this case on the instructions of senior officers. The original passport has never been produced and no evidence has been produced from the passport office for the same.

Q.19. It has further come in evidence against you that IO took your specimen signatures/ handwriting in the presence of independent witnesses Shri R.P. Kaushik which are S1 to S-20/ Ex.PW12/G-1 to Ex.PW12/G-20. What do you have to say?

A. It is correct.

Q20. It has further come in evidence against you that questioned documents are Mark Q-1 to Q-8 in Ex. PW1/A, Mark Q-9 to Q-12 in Ex.PW1/F, Mark Q-13 in Ex.PW1/G, Mark Q-14 in Ex. PW1/I, Mark Q-15 in Ex. PW1/J, Mark Q-16 and Q-17 in Ex.PW1/N and Mark Q-22 in Ex.PW4/1 and your admitted writings and

signatures are Mark A-1 in Ex. PW5/2. What do you have to say?

A: It is correct.

Q.21. It has further come in evidence against you that your specimen signatures/ handwriting and admitted signatures/ handwriting along with the questioned documents Q1 to Q22 were sent to GEQD, Shimla vide letter dated 28.01.2000, Ex.PW10/A along with annexure Ex. PW 12/H. What do you have to say?

A. I do not know.

Q22. It has further come in evidence against you that GEQD opinion is Ex.PW10/B which was received vide letter Ex.PW10/C and PW 10 opined that the person who wrote the blue enclosed writings and signatures stamped and marked S-1 to S-20 and A-1 also wrote the red enclosed writings and signatures similarly stamped and marked as Q-1 to Q-22. What do you have to say?

A. It is a matter of record.

Q23. It has further come in evidence against you that sanction order issued by Shri N.N. Mehrotra, Deputy Secretary, Government of NCT of Delhi

pursuant to grant of sanction by the Lt. Governor of NCT of Delhi under the Passports Act is Ex.PW6/A. What do you have to say?

A. The sanction has been accorded in a mechanical manner without going through the documents.

Q.24. Why the prosecution witnesses have deposed against you ?

A. They have deposed falsely.

Q.25. Do you want say anything else ?

A. I have been falsely implicated in this case. I am from a political family and was also nominated to contest Lok Sabha elections in 1996 from Congress Party. This case was politically motivated in 1999 as Congress was in opposition during that period. I was also an Approver of the CBI in case No. RC-SIU8-1999-E0001 under PC Act titled as " CBI v. Ashok Aggarwal". During that period Ashok Aggarwal was the Deputy Director of the Enforcement Directorate. In order to prevent me from deposing against him as an Approver to the CBI, Ashok Aggarwal used his influence and connections in his department to falsify evidence and to create a controversy out of nothing. The case No. RC-SIU8-1999-E0001 was registered in

January, 1999 and immediately thereafter Ashok Aggarwal started hounding me to tender false evidence in the CBI office during investigation. I did not agree to the same and thus the ED officials who were loyal to him had falsely implicated me. Ashok Aggarwal used his influence also in the CBI after tendering my statement u/s 164 Cr.P.C before the Ld. MM at Patiala House Courts, Delhi. Ashok Aggarwal also ensured that 10 cases of FERA are registered against me only to pressurize me to depose in his favour in abovementioned case. I did not misrepresent nor did I ever had any intentions to violate the Passport Act. Even I did not travel on the passport no. B0130584 dated 15.09.1999 anywhere. The facts of the matter in brief are that on 16.07.1999 early morning Income Tax officials raided my mother's official residence where I was also residing. During the course of the raid ED official Shri P.K. Suman and one other official visited our premises and asked for my passport for verification and for getting its photocopy by them. The same was handed over to them which they returned and the Income Tax Officials through their panchanama clearly mentioned this fact and the same is counter signed by the ED officials. The same ED officials who were the part of the raid gave me summons dated 16.07.1999 to appear along with my original passport in their office

on 19.07.1999. The original passport no. A2200937 with additional booklet was given back to me in the presence of ED officials and IT officials. I am innocent and I have been falsely implicated in this case.

Q.26. Do you want to lead defence evidence ?

A. Yes.

RO & AC

09/11/2016

(Dr. Saurabh Kulshreshtha)
Chief Metropolitan Magistrate (Central)
Tis Hazari Courts, Delhi/09.11.2016

Certified that the above statement of accused has been recorded by undersigned personally and it contains the true and full account of explanation given by him.

(Dr. Saurabh Kulshreshtha)
Chief Metropolitan Magistrate (Central)
Tis Hazari Courts, Delhi/09.11.2016

कार्यालय जिला एवम् सत्र न्यायालय
दिल्ली
प्रतिलिपि
4/2/19/17

In The Court of Sh. Ashu Garg, CMM, Delhi

थाना
Police Station: SIU.VIII, N.Delhi   जिला District: New Delhi

शिकायत-कर्ता या अन्य... और पेशा
Name, address and occupation of complainant or informant: Source

आरोप-पत्र
CHARGE SHEET

दि०पु०स्था०
S.P.E.

आरोप-पत्र सं०
Charge Sheet No. 4   तारीख Date 198

प्रथम सूचना रिपोर्ट सं०
First Information Report Number: RCSI 1999 E 0006   तारीख Date: 17.12.99

Names and addresses of accused persons sent up for trial, whether in custody or on bail or recognizance	Names and addresses of accused persons not sent up for trial whether arrested or not arrested, including absconders (show absconders in red ink)	Property (including weapons found with particulars) of where, when and by whom found and whether forwarded to Magistrate	Names and addresses of Witnesses	Charge or information, name of offence and circumstances connected with it, in concise details, and under what section of law charged ?
1	2	3	4	5
Sh. Abhishek Verma, S/o Late Shrikant Verma, R/o 4, Safdarjung Lane, New Delhi. Presently residing at 141, North Avenue, New Delhi. (On bail)	-	List of documents enclosed.	List of witnesses enclosed.	Case No. RCSI 1999 E 0006 dated 17.12.99 was registered on the basis of source information. The allegations in brief are that Shri Abhishek Verma S/O Late Shri Shrikant Verma R/o 4, Safdarjung Lane, New Delhi was holder of Indian Passport No. A 2200937 issued from New Delhi on 9.5.97 and its additional booklet bearing No. A6340729 issued by High Commission of India at London on 23.3.1999. The aforesaid passports were impounded by the Enforcement Directorate, New Delhi in connection with investigation of a case against him sometime in July-August 1999. That Sh. Abhishek Verma had applied to RPO, New Delhi for issuance of duplicate passport by misrepresenting the fact that passport No. A-2200937 had been lost. While, in fact, his passport and its additional booklet had been impounded by the Enforcement directorate. On the basis of said misrepresentation, supported with an affidavit and an NCR No. ... dated 23.8.99 of PS Tughlak Road, New Delhi, he made the Regional Passport authority to believe that the particulars furnished in the application and affidavit were genuine and thereby he managed to obtain a duplicate passport ...

Exp w/12/17

CMM Delhi 14-7-17

Submitted to the Court to initiate proceedings according to law
T.P. Singh
SSP/PP/CBI
30/10/2000

[redacted] 14.E.0006 ... दिया गया / patched at .... a.m./p.m.

(तफतीश अधिकारी के हस्ताक्षर)
(SIGNATURE OF INVESTIGATING OFFICER)
13/10/2000

तारीख Date: 27-10-2k ... 198

Forwarded pl.

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Stamp: SP OF POLICE, CBI/SIU-VIII

Stamp (box): 4/11/17