

3356

11/8/2017

IN THE COURT OF SHRI SATISH KUMAR ARORA,  
CMM, TIS HAZARI COURT, DELHI

CBT Old Case No. 265/2/2000  
Case No 40/2016

Court Room No 31  
Room No 35

IN THE MATTER OF:

FIR RC SI 8/99/E-0006/1999

Central Bureau of Investigation

...Petitioner

Versus

28/8/2017

Abhishek Verma

..Respondent

2.10.17

M/s Corewip Cyprus,  
77, Strovolos Ave,  
Strovolos Nicosia, Cyprus,  
Through its Authorized Signatory Mr. Joseph Rubinstein,  
Also at B-10, 3<sup>rd</sup> Floor,  
Friend's Colony (West)  
New Delhi-110065  
Through its Authorized Representative Vikki Choudhry

....Applicant

CASE FIR BEARING R.C.NO.SI.8/99/E-0006 DATED  
17.12.99 U/S. 420 IPC R/W SECTION 12(2) OF PASSPORT  
ACT, 1967

Next Date of Hearing: 11.08.2017

(For Index, please see inside)

HARSHVARDHAN JHA  
ADVOCATE  
12, Lawyers Chamber  
Supreme Court of India  
New Delhi-110001

(M) 9873050004

Advocate for Applicant

Dated 11.8.2017

## INDEX

Sl. No.	PARTICULARS	PAGE(S)
1.	Application seeking directions to the Petitioner (Central Bureau of Investigation) for taking on record the signed and sworn Statement of Respondent (Abhishek Verma) dated 31.07.2014 admitting his Statement made u/s 164 CrPC to the petitioner in matter of FIR NO. SI8/E0001/1999 dated 29.01.1999, was false and that Ashok Aggarwal IRS was innocent and had not framed him in the FERA cases. <i>Affidavit</i>	1-15
2.	<b><u>Annexure P -1</u></b> Copy of the High Court order in the matter of Corewip Cyprus dated 27.11.2013	16-29
3.	<b><u>Annexure P -2</u></b> Copy of the Enforcement Directorate ECIR No. DLZ0 /03 /2014/AD(PBS), in the matter of Corewip Cyprus dated 28.02.2014	30-34
4.	<b><u>Annexure P -3</u></b> Copy of the Notice dated 01.05.2017 issued by Hon'ble ACCM Ms Jyoti Kler Patiala House Court for cancellation of bail of Respondent (Abhishek Verma) for violating the bail conditions laid down by the Hon'ble High Court of New Delhi by bribing a key witness Capt. Sandeep Puri (Retd.) among others.	35
5.	<b><u>Annexure P -4</u></b> Copy of the Respondent and accused Abhishek Verma's Sworn statement dated 31.07.2014.	36-43
6.	<b><u>Annexure P -5</u></b>	44

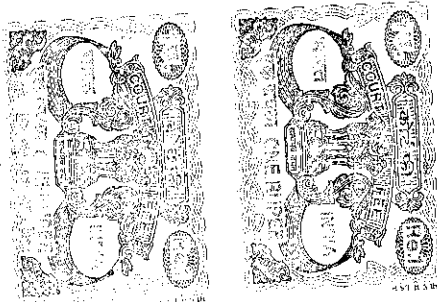
Sl. No.	PARTICULARS	PAGE(S)
	Copy of letter dated 30.06.2014 written by KV Chowdary, Member-CBDT, about FERA / PMLA investigations into the usage of foreign Amex Black Credit cards for paying bribes, hiring prostitutes by accused Abhishek Verma using illegal proceeds of crimes received for selling military secrets to foreigners	
7.	<b><u>Annexure P -6</u></b> Copy Hon'ble District and Session Judge (Hqs) Talwant Singh's Circular dated 05.06.2017	45
9.	<b>Vakalatnama</b>	46

FILED BY :

(HARSHVARDHAN JHA)  
Advocate for the Petitioner  
12, Lawyers Chambers,  
Supreme Court of India,  
NEW DELHI - 110011  
(M) 9873050004

Date:

Place: New Delhi



**IN THE COURT OF SHRI SATISH KUMAR ARORA,  
CMM, TIS HAZARI COURT, NEW DELHI**

**IN THE MATTER OF:**

Central Bureau of Investigation

**....Petitioner**

Versus

Abhishek Verma & Ors

**..Respondent**

M/s Corewip Cyprus,

77, Strovolos Ave,

Strovolos Nicosia, Cyprus,

Through its Authorized Signatory Mr. Joseph Rubinstein,

Also at B-10, 3<sup>rd</sup> Floor,

Friend's Colony (West)

New Delhi-110065

Through its Authorized Representative Vikki Choudhry

**....Applicant**

**CASE FIR BEARING R.C.NO.SI.8/99/E-0006 DATED  
17.12.99 U/S. 420 IPC R/W SECTION 12(2) OF PASSPORT  
ACT, 1967**

**Next Date of Hearing: 11.08.2017**

**APPLICATION SEEKING DIRECTIONS TO THE  
PETITIONER CENTRAL BUREAU OF  
INVESTIGATION TO BRING ON RECORD THE  
SWORN AFFIDAVIT DATED 31.07.2014 MADE BY  
THE RESPONDENT ABHISHEK VERMA IN THE  
MATTER OF FIR NO. SI8/E0001/1999 DATED  
29.01.1999, WAS FALSE AND THAT ASHOK**

**AGGARWAL IRS HAD NOT FRAMED HIM IN FALSE  
FERA CASES.**

**MOST RESPECTFULLY SHEWETH:**

1. That Applicant is a Cyprus based Investment Company whose administrative office is located in New York, USA. The Chairman of M/s Corewip Limited is Mr. Joseph Rubinstein and Mr. Vikki Choudhry is the authorized Representative of the applicant in India and both are also the Directors in GT Telecom Pvt. Limited Corewip's Joint venture in India with the respondent Abhishek Verma.
2. It is submitted that on 16.03.2013, the learned Special Judge, CBI-05, Patiala House Court, New Delhi passed an order on the complaint of the Applicant, directing the petitioner CBI to register an FIR against the Respondent Abhishek Verma. By way of the impugned order, the Special Judge, was pleased to direct the petitioner CBI to register an FIR immediately against the Respondent Abhishek Verma & Ors. u/s various sections of IPC and PC Act as the applicant submitted evidence to the CBI that his investment of INR 5 crores in GT Telecom Pvt. Limited were fraudulently siphoned by Abhishek Verma & Ors to a company called Ganton India Pvt. Limited whose Managing Director was Anca Neacsu, Abhishek Verma's then live in

girlfriend and now his wife. Aggrieved by the above order of the learned Special Judge, CBI-05, Patiala House Court, New Delhi, the Petitioner CBI had approached the Hon'ble Delhi High Court to quash the said order. The Hon'ble Delhi High Court was however pleased to dispose of the Writ Petition Criminal No. 490/2013 only by modifying the order dated 16.3.2013 passed by the learned Special Judge, CBI-05, Patiala House Court, New Delhi to the extent that and the same is reproduced below for the Hon'ble court's indulgence as it states

*"In view of the stand taken by the parties, the order of the learned Special judge, CBI is modified to the extent that the investigating agency shall be the EOW Wing of the Delhi Police and all documents which stand collected by the CBI shall be transferred to the EOW Wing of Delhi Police within 15 days from receipt of the order, and in case any assistance is required by the EOW Wing of Delhi Police, the same shall be rendered by the CBI"*

(Copy of the High Court order dated 27.11.2013 is attached as **Annexure P-1**)

3. It is submitted that on the orders of the Hon'ble Delhi High Court, the Delhi Police EO Wing registered an FIR No. 242

on 05.12.2013 for offences punishable u/s 420/467/468/471/120-B of Indian Penal Code, 1860 against the Respondent Abhishek Verma & Ors. It is further submitted that based on the Delhi Police EO Wing FIR No. 242 on 5.12.2013, which is being heard in the court of Hon'ble CMM Sumit Dass, Patiala House Court, New Delhi, the Enforcement Directorate also registered on 28.02.2014 a complementary ECIR No. DLZ0/03/2014/AD(PBS) under PMLA against the Respondent Abhishek Verma and Ors.

(Copy of the Enforcement Directorate ECIR No. DLZ0 /03 /2014/AD(PBS) dated 28.02.2014 is attached as **Annexure P-2**)

4. The Respondent Abhishek Verma is also facing trial in 10 cases under FERA filed by the Enforcement Directorate between 1999 - 2000. On 09.09.2000, the then Hon'ble ACCM VK Maheshwari cancelled the bail of the Respondent for threatening a specific key witness called Capt. Sandeep Puri in the FERA cases. Aggrieved by the above order of the learned CMM VK Maheshwari, Patiala House Court, New Delhi, the Respondent Abhishek Verma had approached the Hon'ble Delhi High Court to quash the said order. The Hon'ble Delhi High Court was however

pleased to pass an interim Order in the Respondent's Petition Crl.Rev.No.367/2000 on 19.10.2000, by modifying the order dated 09.09.2000 of the then Hon'ble ACCM VK Maheshwari, Patiala House Court, New Delhi, cancelling the Respondents Bail **to the extent that trial would be completed within 4 months.** It is submitted by the applicant that the same never happened due to the repeated adjournments sought by the respondent.

5. It is also submitted by the Applicant that he was recently provided credible evidence by an ex-employee of Abhishek Verma that the applicant's investment of INR 5 crores in GT Telecom Pvt. Limited was actually used in 2010 to pay bribes in cheques and cash to **Sandeep Puri and other important witnesses** of these cases as well as those allegedly in Petitioner's present case RC SIU-8-1999-E-0006 CBI Vs Abhishek Verma u/s Passports Act r/w 420 IPC, directly or by transferring the funds fraudulently to Ganton India Pvt. Limited which was controlled by his then live in partner and now wife Anca Neacsu. The ex-employee stated that the witnesses were deliberately paid a small portion of the **bribe by cheque** to ensure that evidence existed against the witnesses in future in the event that they did not co-operate with the Respondent. The Applicant then filed an application for Investigation and cancellation of Bail of the Respondent for bribing



witnesses and influencing the Trial in the Court of Hon'ble ACCM Ms Jyoti Kler Patiala House Court who on 01.05.2017, was please to issue a notice to the Enforcement Directorate and reply from them is still awaited. The next date of hearing of the case is 26.09.2017.

(Copy of the Notice dated 01.05.2017 issued by Hon'ble ACCM Ms Jyoti Kler Patiala House Court is attached as **Annexure P-3**)

10. It is submitted that the Applicant while collecting evidence on the above cases being investigated by the Delhi Police and Enforcement Directorate, had also found evidence which shows that the Respondent has not only malafidely mislead this Hon'ble Court and has also committed a serious criminal act perjury. As evidence of this heinous crime of the Respondent Abhishek Verma, the Applicant draws this Hon'ble Court's attention to the statement dated 09-11-2016 of the accused and also the Respondent made u/s 313 Cr.P.C to the then Trial Judge Hon'ble CMM (Central) Dr. Saurabh Kulshreshtha in **this very case** and the same is reproduced below for the Hon'ble court's indulgence as it states

“Q.25. Do you want say anything else ?

A. I have been falsely implicated in this case. 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.O 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.

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

A. Yes.

Certified that the above statement of the accused has been recorded by undersigned personally and it contains the

8

true and full account of explanation given by him.

(Dr. Saurabh Kulshreshtha)

Chief Metropolitan Magistrate (Central)

Tis Hazari Courts, Delhi/09.11.2016"

11. The above statement which is a part of the court records in this matter, shows that the respondent and accused Abhishek Verma not only made a false and malafide statement but by making this statement he has also committed the criminal act of Perjury u/s 340 of the Cr.P.C and this is fully borne out by his sworn and signed statement dated **31.07.2014** submitted in **No. RC-SIU8-1999-E0001**, withdrawing his statement made in the year 1999-2000, u/s 164 Cr.P.C against Ashok Agarwal IRS and admitting that it was he who had framed Ashok Aggarwal IRS and not the other way around as he now claimed before this Court on **09.11.2016**. It is also submitted that the Respondent's signed and sworn statement dated **31.07.2014**, and the same is reproduced below for the Hon'ble court's indulgence as it states

*"That today the applicant (Abhishek Verma) respectfully submits before this Hon'ble Court that he does want to*

continue pursuing becoming an approver in the present case and therefore, the applicant is moving the present application to withdraw his application dated 18.07.2000 for becoming an approver and **the same be treated as withdrawn with immediate effect**

"The CBI officers made the applicant (Abhishek Verma) move the said application before this Hon'ble Court completely under the threat, force and coercion. **The Applicant** was told that the moment he will move application for becoming an approver the CBI will give No-objection as entire investigation and control of the case was in their hand"

"The applicant has a widow mother who is completely bedridden therefore the Applicant had no choice but under fear and threat had to succumb to the **illegal demands of Ramnish Geer and other CBI officers.**"

"That the applicant after becoming victim to the illegal pressure of CBI officers was force to **make statement u/s 164 of Cr.P.C, which was drafted and dictated word by word by the CBI officers** as at that particular moment the applicant was petrified and terrorized by the CBI officers and the applicant had to abide by their illegal directions.

(Copy of Abhishek Verma's sworn and signed statement dated 31.07.2014 is attached as **Annexure P-4**)

12. It is now also submitted that the Respondent and accused Abhishek Verma knowingly made a false and malafide statement on 09.11.2016 to this Hon'ble Court fully well knowing that he had made a completely contradictory statement sworn and signed in another Court for this very same case on 31.07.2014, which till date he has never contradicted or withdrawn thereby committing an act of perjury under Section 340 of the Cr.P.C
13. The applicant lastly submits that Abhishek Verma is a history sheeter in the infamous league of Shahbuddin and Pappu Yadav, both whose bails were cancelled by the Hon'ble Supreme Court of India and that after being charged between 1999 -2001 in 10 cases of FERA, 01 case duplicate passport, 01 DRI case, and 30 cases of Income tax evasion with a total outstanding recovery as of date of INR 108 Crores, the respondent once again embarked on a crime spree between 2004-2012 which led to petitioner to file 02 case under Official Secrets Act, 03 cases under PC Act, PMLA & Forgery against the Respondent and there are more than 10-15 ongoing concurrent investigations by various agencies pending. The above also finds mention in the letter dated 30.06.2014 written by KV Chowdary, then member-CBDT and the present CVC, and the same is reproduced below for the Hon'ble court's indulgence as it states

11

**"large scale fraud committed by Sh. Verma and his wife**  
by travelling on discounted 10% air tickets issued by British  
Airways, New Delhi, non-payment of Income-tax by Ms.  
Anca Neacsu, wife of Sh. Verma, defrauding an FII of USD 1  
million (complaint by Corwip Ltd., Cyprus), **extortion of**  
**money from S Mallya and IPL"**

"routing of money through hawala channels for which a  
case was reportedly registered by ED for money laundering  
and payments through Amex Cards to M/s PB International,  
an escort service provider in Belgium, for obtaining services  
of **escorts and call girls for attending parties in India**  
have been received by the Investigation Division of Income  
Tax Department. **The investigating officers are**  
**collecting further information/evidence as part of**  
**investigation into above allegations"**

(Copy of letter dated 30.06.2014 written by KV Chowdary,  
Member-CBDT and **now CVC** is attached as **Annexure P-**

5)

14. Finally it is submitted that the above case has been  
ongoing since 1999 and **nearly 18 years** have passed and  
the final arguments are yet to be completed and hence in

the interests of justice the applicant would like to draw the Petitioners attention to the Hon'ble District and Session Judge (Hqs) Talwant Singh's Circular dated 05.06.2017 and the same is reproduced below for the Hon'ble court's indulgence as it states

*"As per directions of Hon'ble Supreme Court of India and Hon'ble High Court of Delhi, district courts have to achieve target of Five Plus Zero pendency by 31.12.2018 in respect of cases/ Appeals/ Revisions etc"*

*"It is proposed that all the ten years old cases shall be disposed off by 31.12.2017"*

(Copy Hon'ble District and Session Judge (Hqs) Talwant Singh's Circular dated 05.06.2017 is attached as **Annexure P-6**)

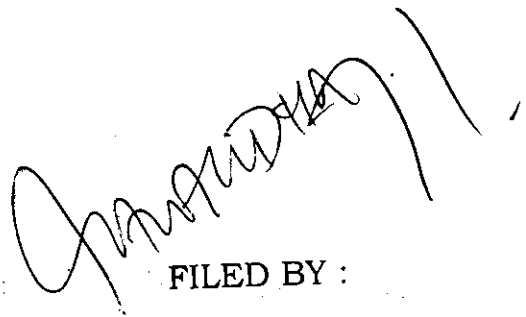
**PRAYER**

It is therefore, most respectfully prayed that this Hon'ble Court be pleased to;-

1) take on record the sworn and signed statement of the Respondent and Accused Abhishek Verma dated 31.07.2014 before the Final Judgment in this matter is passed.

2) pass an Order against the Respondent for having committed a criminal act of perjury u/s 340 of the Cr.P.C;

3) pass any other order(s) as deemed fit in the facts and circumstances of the case.



FILED BY :

**HARSHVARDHAN JHA**  
ADVOCATE  
12, Lawyers Chamber  
Supreme Court of India  
New Delhi-110001

(HARSHVARDHAN JHA)  
Advocate for the Petitioner  
12, Lawyers Chambers,  
Supreme Court of India,  
NEW DELHI - 110011

Date: 11.8.2017

Place: New Delhi



**IN THE COURT OF SHRI SATISH KUMAR ARORA,  
CMM, TIS HAZARI COURT, NEW DELHI**

**IN THE MATTER OF:**

Central Bureau of Investigation **....Petitioner**

Versus

Abhishek Verma **..Respondent**

M/s.Corewip Cyprus,  
77, Strovolos Ave,  
Strovolos Nicosia, Cyprus,  
Through its Authorized Signatory Mr. Joseph Rubinstein,  
Also at B-10, 3<sup>rd</sup> Floor,  
Friend's Colony (West)  
New Delhi-110065  
Through its Authorized Representative Vikki Choudhry  
**....Applicant**

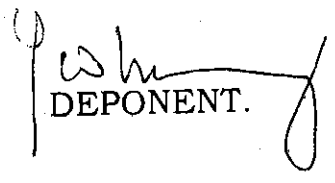
**CASE FIR BEARING R.C.NO.SI.8/99/E-0006 DATED  
17.12.99 U/S. 420 IPC R/W SECTION 12(2) OF PASSPORT  
ACT, 1967**

**AFFIDAVIT**

I, Vikki Choudhry, son of Late Shri Raghuraj Singh aged About 47 years, resident of B-10, 3<sup>rd</sup> Floor, Friends Colony (West ), New Delhi- 110 065 do hereby solemnly affirm and state as under:-

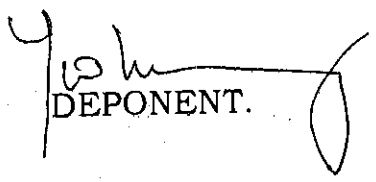
1. That I am the authorized Signatory/Representative of the Complainant and being conversant with the facts and circumstances of the case, competent to swear this affidavit.

2. That I have read and understood the contents of the accompanying application for direction and the same are true and correct to the best of my knowledge and belief.

  
DEPONENT.

**VERIFICATION:**

Verified at New Delhi on this the 10<sup>th</sup> day of August, 2017 that the contents of the above affidavit are true and correct to the best of my knowledge and belief, nothing contained therein is false or has been concealed therefrom.

  
DEPONENT.

Decided

✓ R  
DASTI TO THE PARTIES

16  
Annexure P-1

IN THE HIGH COURT OF DELHI, AT NEW DELHI

No. 45228 /Crl.

Dated: 27/11/13

From:

The Registrar General,  
High Court of Delhi,  
New Delhi

To,

1. Sh.Swarana Kanta Sharma  
Special Judge, CBI-05 or successor court  
Patiala House courts, New Delhi
2. The Director, CBI  
Plot No.5-B, CGO Complex  
New Delhi
3. The SHO/O  
EOW, Qutub Institutional Area  
New Delhi

WRIT PETITION (CRIMINAL) NO.490/2013 & CRL.M.A.NO.3957, 11670 AND 15422/2013

Central Bureau of Investigation

Petitioner

VERSUS

M/s Corewip Cyprus Pvt. Ltd.

Respondent

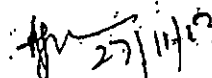
Petition under Article 227 of the Constitution of India r/w/s 482 Cr.P.C. seeking quashing of the order dated 16.03.2013 passed by the Ld.Special Judge, CBI-05, Patiala House Courts in m.No.01/13 u/s 156(3) of Cr.P.C.

Sir,

In continuation of this Courts letter No.25375/crl. dt. 23.07.2013, I am directed to forward herewith for immediate compliance/necessary action a copy of judgment/order dated 21.11.2013 passed in the above case by Hon'ble Mr.Justice G.S.Sistani of this Court.

Necessary directions are contained in the enclosed copy of order.

Yours faithfully

  
27/11/13  
Admn. Officer Judl. (Crl.)  
for Registrar General

Encl : Copy of order dated 21.11.2013  
and memo of parties

\$~ 7

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 490/2013 &amp; CRL.M.A. 3957, 11670, 15422/2013

CENTRAL BUREAU OF INVESTIGATION ..... Petitioner

Through: Ms.Sonia Mathur and Mr.Sushil Kumar  
Dubey, Advocate for the petitioner

versus

CORWIP CYPRUS PVT. LTD. .... Respondent

Through: Mr.Harshvardhan Jha, Adv. for R=1  
Mr.Saleem Ahmed, ASC with Ms.Charu  
Dalal, Advocate and S.I. Rajneesh, EOW

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER  
21.11.2013

Petitioner is aggrieved by the order dated 16.3.2013 passed by learned Special Judge, CBI on a complaint filed by respondent No.1 under Section 156(3) Cr.P.C. whereby the court had directed the CBI to investigate into the matter and submit its report.

Counsel for the CBI submits that this matter can well be investigated into by the police or the Economic Offence Wing of Delhi Police, and there are no special circumstances for referring the matter to the CBI. Counsel for the petitioner has relied upon State of West Bengal and Ors. Vs. Committee for Protection of Democratic Rights reported at 2010 (3) SCC 571 and T.C. Thangaraj Vs. Engammal & Ors. reported at 2011 (8) SCALE 488 wherein the Supreme Court has observed that only in cases with national and international ramifications or relating to Central Government employees, the CBI is to be directed to register FIR and in

other cases the direction is to be issued to the Anti Corruption Branch for investigation.

Counsel for the respondent no.1 submits that the concern of the respondent *primarily* is that the matter should be investigated into, since prior to his complaint under section 156(3), documents containing more than 3000 pages were collected by the CBI team from New York, but no action had been taken, however, he has no objection if the matter is investigated into, in terms of the order passed by the Special Judge, and on the basis of the investigation already conducted and the documents collected.

In view of the stand taken by the parties, the order of the learned Special Judge, CBI is modified to the extent that the investigating agency shall be the EOW Wing of the Delhi Police and all documents which stand collected by the CBI shall be transferred to the EOW Wing of Delhi Police within 15 days from receipt of the order, and in case any assistance is required by the EOW Wing of Delhi Police, the same shall be rendered by the CBI.

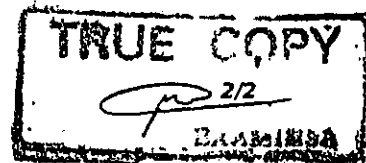
With above modification, the present petition and the applications stand disposed of.

DASTI to parties.

NOVEMBER 21, 2013  
ssn

G.S.SISTANI, J

W.P.(CRL) 490/2013



IN THE COURT OF MS. SWARANA KANTA SHARMA, SPECIAL JUDGE, CBI-05,  
PATIALA HOUSE COURTS, NEW DELHI.

M. NO. 01/13

Swarana Kanta Sharma  
Special Judge CBI-05  
Patiala House Courts  
New Delhi

U/s. 156 (3) of Criminal Procedure Code

In re :

COREWIP CYPRUS  
Vs.  
ABHISHEK VERMA AND ORS.

16.3.2013

Order

1. Vide this separate order, I will decide an application under Section 156(3) of Cr.PC moved by the complainant for issuance of direction to CBI for registration of FIR against one Abhishek Verma, Ms. Anca Neacsu, R.P. Singh, Dinesh Khurana, Sanjiv Kapoor, Jitender Garg, Ravi Chauhan and unknown others and for detailed investigation into cheating and fraud of USD 1.1 Million (Approximately Rupees 5 Crores) committed on Corewip Limited, the complainant, by the accused persons who conspired criminally with the intent to cheat the complainant company and in pursuance of their criminal objective, forged documents and cheated an amount of approximately Rs. 5 crores from the complainant's company, as made out by the Complainant in his letter No. TCM-Verma-10-CBI dated 25.10.2012 addressed to Special Director, CBI, V.K. Gupta whom he met officially in New York. Fresh evidence has also been collected recently by CBI from one Edmund Allen to show that these funds were then used to provide gifts, bribe to officials of Ministry of Defence and Ministry of Home Affairs Officials for Arms contract and a part of money also laundered overseas through Hawala. The brief facts are stated as under:-

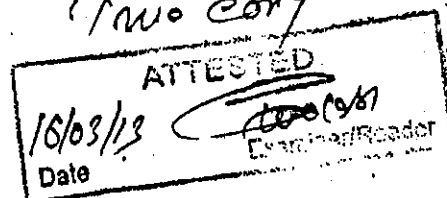
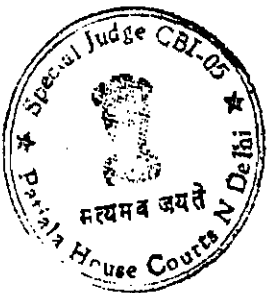
2. It is stated that the complainant is a Cyprus based Investment Company. The Chairman of M/s Corewip Limited is Mr. Joseph Rubinstein.



True copy  
ATTESTED  
16/03/13  
Date  
[Signature]  
[Title]

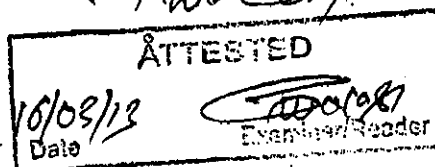
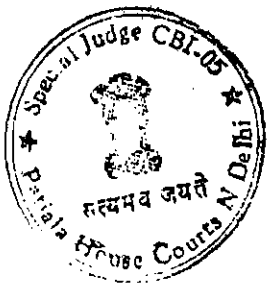
That Mr. Joseph Rubinstein (Hereinafter referred to as JR for short) and Mr. Haim Yashar (Hereinafter referred to as HY for short and the then Authorized Representative of the complainant) were approached by Abhishek Verma (Hereinafter referred to as AV for short), on or around May-June, 2009 with the proposal to enter into a joint venture agreement for providing services in India under ISP License with voice, including mobile and/or fixed line voice (The "Project"). AV indicated via email that since his company Ganton Limited USA was in the process of incorporating a 100% subsidiary Ganton India Pvt. Ltd. (Hereinafter referred as GIPs for short) and given the urgency Mr. Gian Chand Arora (Here referred to as GCA for short) would be holding his shares in the joint venture company, GTT, till such time as GIPL would be incorporated or some legal cases (Including the Scropene Case/Naval War Room Leak Case) he was involved in were settled.

3. It is stated that CBI has obtained evidence of this on their Visit to New York in 2012 as this company has also figured in other cases of Fraud, Forgery, PMLA and OSA cases being investigated present by CBI. TCM Mobile LLC (Hereinafter referred to as TCM for short) the patent holder of VOIP Technologies signed a MOU on 25.8.2009 with Ganton USA on behalf of its fully owned subsidiary Ganton India Pvt. Limited whose Managing Director was Anca Neacsu (Hereinafter referred to as AN for short), AV's live in partner for providing VOIP Technologies in India as ROC permission for GIPL was yet to be received.
4. It is stated that thus AV induced the complainant with promises about the success and profitability of the project in India and dishonestly induced the complainant to execute the joint venture Agreement dated 18.11.2009. Although he and his accomplices had no intention to execute the project but only to cheat and misappropriate the investment made by the complainant.



5. It is stated that as per the terms of the JV Agreement it was agreed upon between the parties that both the India JV Partner and the complainant would contribute towards the initial paid up share capital of the JVC which shall be Indian Rs. 10 Crores. In furtherance of the said JV Agreement, a total sum of US \$ 1.1 Million (Approximately Rs. 5 Crores) was remitted by the complainant to the GTT's Bank Account No. 1617056 with ABN Amro Bank, (Now Royal Bank of Scotland) (Bank Account), New Delhi, against which 49% shareholding of the JV Company was issued to the complainant. However, as revealed now, contrary to the promises and the agreement, GIPL, ST, GCA having a 51% shareholding in GTT dishonestly did not remit any money to GTT's bank Account towards their contribution to the paid up share capital, since their contribution to the paid up share capital, since their intention was not to do business or make any investment but to defraud and cheat the complainant of its US \$ 1.1 Million. Furthermore AV via an email dated 03.3.2010 fraudulently informed JR and HY that GIPL had remitted the share capital on behalf of the above shareholders knowing that to be fully false.

6. It is stated that AV used fake email ID's to communicate and share forget documents with the complainant. In furtherance of his strategy to escape any investigation into his wrongdoings, AV deleted his other email ids viz. av@vermafoundation.com, evaherzigova@gmail.com, manager@intercompanymail.com, office@gt-tel.com, info@nit.ch among others. It is submitted that AV using the email ID office@ganton.in, emailed all his proxies and EA on 20.12.2009 stating that GIPL headed by AN had signed an agreement with ZTE to provide low cost handsets for the JVC to be rename GTT. He attached photos of the signing ceremony as well as the agreement. All evidence regarding AV and AN's dealing with ZTE were handed over to CBI Team when they visited EA in NY as they were investigating another case in which AV and AN received and passed on bribes to unknown GOI officials for extension of the cancelled visa's of ZTE employees in India. This evidence remains in the exclusive domain of

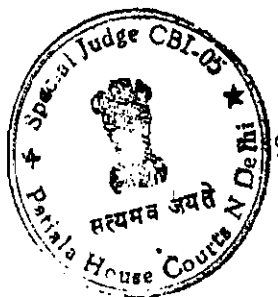




the CBI.

7. It is stated that AV now using the email ID evaherzigova@gmail.com sent an email to EA, his escrow Agent and president of Ganton USA on 09.01.2010 informing him that the JVC, GN Infotech would be renamed as GTT. He also informed EA that TCM (Corewip) would be investing USD 1.1 Million and he would be investing USD 1.1 Million from Internal Resources in India namely GIPL. CBI has obtained evidence of AV using this email ID on their visit to New York while investigating an OSA case against AV and AN in which both have been charge sheeted and are in judicial custody. Further they have requested EA not to share this evidence with any other investigation agency (CBI email dated 15.6.2012, enclosed with the application as Annexure - C at page 261).

8. AV again using the email ID av@vermafoundation.com also sent email on 16.01.2010 to JR and HY of Corewip/TCM and others, the draft of the MOU to be signed between GTT and ZTE for low cost handsets. All evidence regarding AV and AN's dealing with ZTE were handed over to CBI Team when they visited EA in New York as they were investigating another case in which AV and AN received and passed on bribes to unknown GOI officials for extension of the cancelled visa's of ZTE employees in India. This evidence remains in the exclusive domain of CBI. AV using the email ID av@vermafoundation.com also sent another email on 09.02.2010, to emails JR and HY of Corewip/TCM, attaching a forged Monthly Bank Statement of GN Infotech (Now called GTT) to show them that GIPL was depositing funds towards its half of the share capital in the JV as well as on behalf of GCA & ST being the other Indian shareholders (enclosed with the application from Page 42-44 of Annexure A).

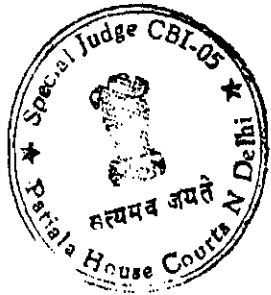


9. It is stated that it is pertinent to mention that G.N. Infotech Pvt. Ltd., a company incorporated on 29.4.2005 was acquired by G.C.A and EST. on 30.11.2009. G.N. Infotech Private Limited was renamed G.T. Telecom Pvt.

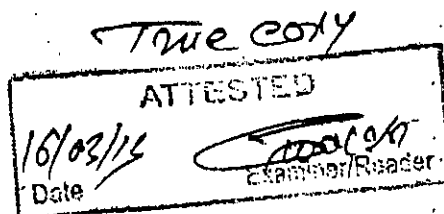
*True copy*

<b>ATTESTED</b>	
16/03/13 Date	 Examiner/Reader

Ltd. (GTT) on 01.02.2010. The JV Company was headed by Sh. Sanjiv Kapoor (Hereinafter called SK for short) a close associate of AV. AV, AN, SK and RP Singh (Hereinafter called RPS for short) then conspired and SK fraudulently signed a Lease Agreement on 15.02.2012 behalf of GTT with Gupta Brothers the landlords for a farmhouse in Delhi (enclosed with the application from page 35-37 of Annexure-a). This farmhouse had since then served solely and the residence of AV and AN till it was raided by CBI on 07.5.2012, even though on paper AN and AV have nothing to do with GTT, thereby willfully becoming a party to defrauding the complainant. To achieve the above SK on behalf of GTT fraudulently and without Board approval, agreed to and later did pay the landlord a deposit of USD 20,000/- and monthly rent of USD 6000/- without informing the Foreign JV /shareholder Corewip about this or obtaining his signatures on the monthly Cheques. All the documents in this regard were seized by the CBI when they raided the said premises and are still in their custody till date. AV using the email ID office@gt-tel.com forwarded the GTT Business plan to AN & others but bcc to EA. The plan was sent to AV by Prakash Idnani a business consultant personally known to AV who nominated him on the Board of Directors of GTT on 18.02.2012, which shows AV was the mastermind of this fraud. He had also used the email ID office@gt-tel.com to send an email on 26.1.2010 Jitender Garg and Hain Yashar of the complainant company and had attached forged ABN AMRO Demand Draft, and deposit slip for value of Rs. 2.5 crores to fraudulently convince that GIPL had deposited a part of its share capital in GTT. Thereafter, he had sent another email on 02.3.2010 using the same email ID to the company and had attached another forged ABN AMRO DD and deposit slip for value of Rs. 2.5 crores which are at page no. 47-54 of annexures A. The entire original email has been obtained by CBI when they had visited New York in connection with investigation against Abhishek Verma.

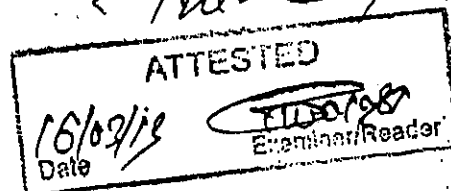
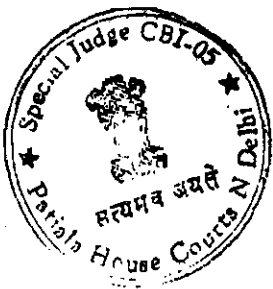


10. On 15.3.2012, Abhishek Verma had sent an email using his email ID mr.abhishekverma@gmail.com and had informed complainant company



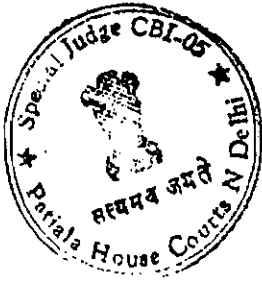
that GTT will remit 300,000 USD to TCM as royalty for the VOIP Technology which are at page no. 61-64 of annexure A. CBI has obtained evidence regarding use of this email ID by Abhishek Verma while they were investigating the case under Official Secret Acts against accused Abhishek Verma and AN.

11. On 24.3.2010, AV had again sent an email and had attached forged ABN AMRO monthly bank statement for the period 01.02.2010 to 22.3.2010 falsely showing that GIPL had deposited 5.5 crores as its share capital. These documents have been annexed with the complaint at page no. 56-57 of annexure-A. On 26.3.2010 he had again attached a forged ABN AMRO debit advice showing USD 300,000 had been remitted from GTT to TCM.
12. As agreed upon by the parties HY was to be the authorized signatory of the complainant to the GTT Bank Account. Therefore, a bank application was brought personally by RPS to HY who had executed the bank application and had returned it to RPS towards the close associate of AV for submission to the bank. Thus, the complainant and HY were fraudulently and dishonestly made to believe that HY had been made authorized signatory to bank account and for all payments above USD 5,000, his signatures will be needed alongwith the nominee of the Indian Shareholders. On 21.4.2010, HY and JR came to India unannounced and came to know that HY was not an authorized signatory to the bank account. And, therefore, the bank officials refuse to share any information with HY or JR since as per the records, HY was not the authorized signatory to the bank account and instead one RPS, AN and Jitender Garg but the authorized signatories, therefore, the complainant company realized that the documents signed by their authorized representative and handed over to RPS and AV had been substituted by forged once who were all employees of GIPL and not GTT. Thereafter, AV sent an email using a fake email ID reflecting transfer of 696,300 EURO from his personal bank



account, abroad to the complainant. However, no such funds were ever received by the complainant company. AV had informed the complainant that the JV agreement allows both the parties to exit with mutual concerned and the JVC can be dissolved an the investment can be repatriated back to both the parties immediately.

13. The complainant was also informed by AV on 06.5.2010 that clause 3.3 of the JV Agreement can be used to terminate the agreement when there is restriction to the business of GTT and the Indian JV Partners can buy out the complainant company. Vide an email dated 29.4.2010, annexure - 1 AV informed the complainant and the Board Members of JVC that it was decided by the Indian and his Israeli Promoters that the JV Agreement and the JVC be dissolved and, therefore, the desolution of the JVC has commenced. Therefore, relying upon the false representation of AV the complainant had executed a Rights Transfer Agreement and had made it to GIPL, ST and GC. However, till date the Rights Transfer Agreement has not been signed by the Indian Party and the complainant investment in GTT has be fraudulently withdrawn and squandered. On 22.5.2010, the complainant was informed by Arjun Arora that the complainant had been misinformed regarding desolution of GTT. However, Abishek Verma again informed the complainant that efforts being made for peacefully resolving the matter. CBI had recorded statement of Sh. Arjun Arora in New York while investigating other cases against Abhishek Verma. He has told CBI that AV and SK has sent many e-mails fraudulently in his name since they had complete access to the servers which were located at AVs residence. Copy enclosed as annexure A. Arjun Arora had also told CBI that AV had misrepresented facts to him and to his father on matters of GTT and had confirmed that GIPL had indeed deposited the share capitals on behalf of itself as well as GCA and ST in GTT. These submission of Arjun Arora were found to be true when CBI investigated the leakage of secret documents of Ministry of Defence in the year 2012 which led to AV and AN being charge sheeted by CBI under Section 3 of Official Secrets



True copy

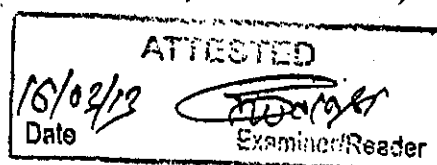
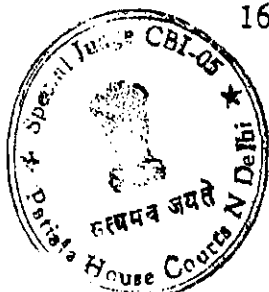
ATTESTED  
16/03/13  
Date  
[Signature]  
Examiner/Reader

Act. It is stated that on being continuously harassed by AV and his associates HY and JR had tendered their resignation from the Board of GTT w.e.f 01.9.2011. However, the same has not been taken on record nor the regulatory authorities have been informed about the same.

14. It is stated that a complaint was lodged with the Economic Offence Wing, Delhi Police for registration of the FIR against the accused persons. However, the DCP Economic Offences, Delhi Police have now informed CBI through letter dated 05.02.2013 which has been filed alongwith the application (Page no. 435 of Annexure) that they should take over the investigation since all the evidence pertaining to the present complaint is in the sole custody of CBI and is part of several international investigation against AV and his associates. It is stated that it has come to the notice of the complainant that the proceeds of this fraud had been used to bribe Government officials to sell State Secrets which have international ramifications. It is, therefore, prayed that since the investigation has to be carried out by various angles of payment of bribe to the Government officials of various Ministries and Banks out of the cheated amount, only CBI can investigate the present matter.

15. The Counsel for the applicant has also drawn my attention to an email addressed by DIG Sh. Praveer Ranjan, CBI whereby he has requested Edmund Allen to keep the information share with CBI regarding Abhishek Verma 'Secret'. They have specifically asked him not to share the information either with any other individual or agency but to CBI.

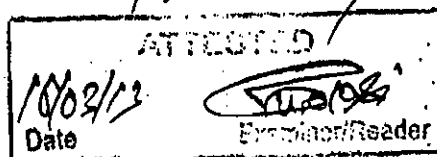
16. It will not be out of place to mention here that the information collected by CBI from Edmund Allen comprises of evidence against Abhishek Verma and his associates regarding the present complaint also. The present complaint is primarily based upon the emails sent by Abhishek Verma to the complainant company and his authorized representatives as well forged documents, demand drafts etc. Since a major portion of the



evidence which is needed to investigate the present complaint is in the possession of CBI which cannot be shared with any other agency as per the letter of the DIG, it is not possible for any other agency to investigate this matter. This fact is corroborated by letter dated 05.02.2013 of Deputy Commissioner of Police, Economic Wings addressed to Director, CBI requesting him to dispose the matter at their end and have forwarded the complaint of Joseph Rubinstein, Authorized Signatory of M/s Corewip Cyprus against Abhishek Verma and others in a sealed cover. It was also pointed out that a complaint has already been made to CBI on 25.10.2012 in this matter.

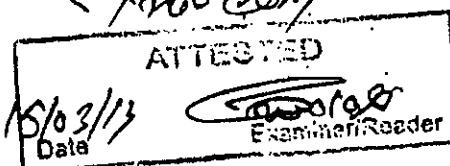
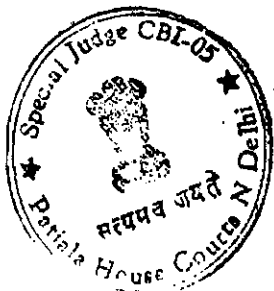
17. Before referring the complaint to CBI and directing them to register an FIR, I must ponder as to whether this Court is competent to give such direction to CBI for registration of the FIR exercising its powers under Section 156(3) Cr.PC. and to investigate thereon. The Ld. Counsel for the complainant has drawn my attention to the case of Dr. A.S. Narayan Rao Vs. CBI decided on 20.4.2012 by Hon'ble Justice Ms. Mukta Gupta. I have carefully gone through this judgment whereby it has been laid down that since vide the PC Act the Special Judge, CBI though an Additional Session Judge is also entrusted with powers of the Magistrate, as such all the powers we can be exercised by the Magistrate can be exercised by the Special Judge, CBI also. It has also been laid down in this judgment that the Special Judge, CBI can direct registration of an FIR and investigation by CBI. However, such investigation can be ordered only in cases with National and International ramification or relating to Central Government Exercise and another cases directions be issued to Anti-Corruption Branch for investigation.

18. It is thus clear that this Court has power to direct CBI to register an FIR and carry out investigation as per Law. The facts mentioned in this complaint prima facie reveal acts of cheating, forgery, and criminal conspiracy. There are also allegations that the amount so cheated have



been used to bribe Central Government Officials and Bank Officials and, therefore, case needs to be investigated from the angle of Prevention of Corruption Act also against unknown officials. The facts so revealed by the documents filed by the complainant, amount to commission of cognizable offences and offences under Prevention of Corruption Act which have International ramifications since the connected cases being pending trial for commission of cheating, forgery and offences punishable under PC Act and Official Secrets Act and PMLA against Abhishek Verma and his associates pertain to bribing the Government officials for clinching Arms deals, and the allegations of the present complaint are that the money so cheated from the complainant had been used by Abhishek Verma and his associates to provide gifts, bribe to officials of Ministry of Defence and Ministry of Home Officials for Arms Contract and part of money was also sent Overseas Bank through Hawala in order to influence Government Officials for showing undue favour by corrupt or illegal means in Arms deals. It is stated by complainant that the statement of witnesses regarding this fact is already in possession of CBI.

19. While passing this order I remain aware that CBI has to be entrusted with only sensitive and important investigation which involve the national interest otherwise, they will be flooded with too many investigations and the fact of paucity of staff and infrastructure can also not be lost sight of which cannot be allowed. The other reason for passing an order for investigation by CBI in this case is that primary and major evidence regarding the present case is in exclusive possession of CBI, such as, 4 Trunk Load of documentary evidence of GTT, GIPL as well as financial and bank records which were recovered in June, 2012 after raid was conducted at the home of Ram Prakash Singh a close associate of Abhishek Verma. CBI is also stated to be in possession of about 3000 emails and documents in connection with the present case which were handed over by complainant to CBI when CBI Team had visited New York.

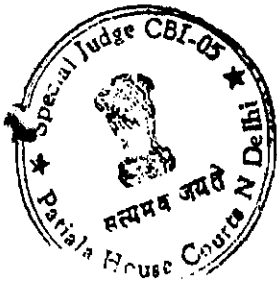


20. The CBI officials have categorically requested Edmund Allen not to share with any other agency but to CBI. Considering this as an exceptional case with exceptional circumstances I order Director, CBI to register an FIR in this case against Abhishek Verma and his other associates as well as unknown Government officials for committing offences of cheating, forgery, criminal conspiracy and the offences punishable under Prevention of Corruption Act and under any other law as deemed proper and permitted by law.

21. It is very important to order investigation in such cases of cheating which involve the Companies of foreign origin also since by such fraud and cheating, prestige of our country is also put at stake. The willing investors will shirk away from investing in our Country in case such frauds are committed and the reputation of the country suffers in the process. While not ignoring the Monster of corruption and how it affects the economy of the Country, it is essential that the culprits as such, who commit such offences, must be brought to the book so that the corruption in this country does not become the headline in any other part of the world.

22. The compliance report be submitted on 23.3.2013 at 11:00 am by Director, CBI.

23. Copy of this order be given dasti to the complainant and a copy be sent by Dak to the Director, CBI.



(SWARANA KANTA SHARMA)  
 SPECIAL JUDGE, (CBI/OS),  
 NEW DELHI/16.3.2013  
 Patiala House  
 New Delhi

*Two copy*

ATTESTED  
 16/03/13  
 Date  
 Examiner/Reader



## ENFORCEMENT CASE INFORMATION REPORT (ECIR)

1. ECIR No. DLZO/03/2014/AD(PBS) / 2014 Year Zone Delhi Sub-Zone Date 28.02.2014

## 2. Nature of the Scheduled Offence

(i) Scheduled Act(s)	(ii) Section of the Act(s)	(iii) Agency investigating scheduled offence
Indian Penal Code, 1860	420, 467, 471, 120-B	P.S.- EOW, Delhi Police

3. Source from which information/material received: E.O.W., Delhi Police
4. Place (s) of Occurrence of Scheduled offence: Delhi & various other places.
5. Names and Addresses of person(s)/suspected persons with full particulars:
- Sh. Abhishek Verma S/o Late Sh. Shrikant Verma, R/o Church Road, Vasant Kunj, New Delhi-110070.
  - Sh. Siddharth Tytler S/o Sh. Jagdish Tytler, R/o 12B, Poorvi Marg, Sir Ganga Ram Hospital Road, Rajinder Nagar, New Delhi-110060.
  - Sh. Gian Chand Arora S/o Sh. L R Arora, R/o C-9/18, Krishna Nagar, Delhi-110051.
  - Sh. Arjun Arora S/o Sh. G C Arora, R/o 2, Drewes Court, Lawrenceville NJ, Canada 08648.
  - Sh. Vikki Choudhry S/o Sh. Raghuraj Singh Choudhry, R/o A-179, New Friends Colony, New Delhi-110065.
  - Sh. Ram Prakash Singh, R/o GT Telecom Pvt. Ltd., Paharpur Business Centre, 21 Nehru Place, New Delhi
  - Sh. Jitendar Garg, R/o J-363, Sarojini Nagar, New Delhi-110023.
  - The Bank Manager, Royal Bank of Scotland, Hansalaya Building, 15, Barakhamba Road, New Delhi-110001.
6. Details of property suspected to be proceeds of crime
- (a) Movable : To be ascertained.
- (b) Immovable : To be ascertained

## 7. Material relating to commission of offence and reason to believe that an offence of money laundering has been committed and assessment thereof :-

This case is being registered for commission of offences u/s 3 of Prevention of Money Laundering Act (PMLA), punishable u/s 4 of the said Act, on the basis of information/material about the predicate offence, from FIR No. 242 dated 05.12.2013 registered by PS- EOW, Delhi Police, New Delhi, against the suspected persons mentioned under column 5 above for commission of offences punishable u/s 420/467/468/471/120-B of Indian Penal Code, 1860, on the basis of written complaint submitted by Mr. Joseph Rubenstein, Chairman, M/s Corewip Ltd., 77 Strovolos Ave., Strovolos Nicosia, Cyprus.

That Sh. Abhishek Verma along with his associates mentioned above at S. No. 5 (ii) to (viii) dishonestly induced the complainant to make an investment of US\$ 1.1 million in a joint venture

company called GT Telecom Pvt. Ltd. Thereafter using fake e-mail IDs, he corresponded with the complainant, and kept consistently sending forged bank statements to induce the complainant to believe that their investment is safe in GT Telecom bank account. However, contrary to what was represented to the complainant, money was fraudulently withdrawn from GT Telecom's bank account by Sh. Abhishek Verma and his associates without the consent and knowledge of the complainant. The entire investment of US\$ 1.1 million made by the Complainant has been squandered by Sh. Abhishek Verma and his associates for their personal gratification. The shareholders, Sh. Siddharth Tytler and Sh. Gian Chand Arora have acted in criminal conspiracy with Sh. Abhishek Verma to defraud the complainant and swindle the entire US\$ 1.1 million (approx Rs. 5 crores). Sh. Siddharth Tytler and Sh. Gian Chand Arora agreed to be shareholders in GT Telecom on behalf of Sh. Abhishek Verma and put in place a Board of Directors viz. Sh. Arjun Arora and Sh. Vikki Choudhry, as their men to take decisions which are in furtherance to their ulterior design to squander US\$ 1.1 million. The Royal Bank of Scotland through its Relationship Manager, despite being aware of the fact that Mr. I Laim Yashar of Corewip Ltd was to be a signatory has returned his signature form to accused persons at their behest and has allowed them to withdraw the entire amount of 1.1 million dollars from the account and deliberately refused to co-operate with the complainant.

That, as per complaint, the facts of the case are that:-

- (1) Mr. Joseph Rubinstein and Mr. Halm Yashar were approached by Sh. Abhishek Verma with a proposal to enter into a joint venture agreement for providing services in India under IISP License with voice, including mobile and/or fixed line voice, indicating that Sh. Gian Chand Arora would be holding his shares in the joint venture company GT Telecom. Sh. Siddharth Tytler, who came from a political family, would be a shareholder in the Joint Venture;
- (2) Sh. Abhishek Verma made big promises about the success of and profitability of the project in India and dishonestly induced the complainant to execute the joint venture Agreement dated 18.11.2009. This agreement was entered into between (i) Ganton India Pvt Ltd through its authorized Signature, Sh. Jitendra Garg (Ganton India Pvt Ltd is a wholly owned subsidiary of Ganton Ltd., USA), (ii) Sh. Siddharth Tytler, (iii) Sh. Gian Chand Arora and (iv) M/sCorewip Ltd;
- (3) Vide letter dated 19.11.2009, Sh. Abhishek Verma committed that in the event if further funding is required by GT Telecom, it shall be his personal responsibility to fund the Joint Venture Company upto US \$ 4 million;
- (4) As per the terms of the JV Agreement, it was agreed upon between the parties that both the Indian JV Partner and the complainant would contribute towards the initial paid up share capital of the JV Company which shall be Indian Rupees 10,00,00,000. In furtherance of the said JV Agreement, a sum of US\$ 1.1 million (approximately Rupees 5 crore) was remitted by the complainant to the GT Telecom's Bank Account No. 1617056 with ABN AMRO Bank (Now Royal Bank of Scotland), against which 49% shareholding of JV Company was issued to the complainant. However, contrary to the promises and the agreement, Sh. Siddharth Tytler and Sh. Gian Chand Arora, having 51% shareholding in GT Telecom, did not remit any money to GT

Telecom's Bank Accounts towards their contribution to the paid up share capital, because their intention was not to do business or make any investment but to defraud the complainant of US\$ 1.1 million;

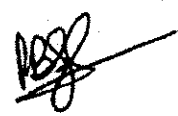
- (5) Sh. Abhishek Verma used fake e-mail ids to communicate and share documents with the complainant. In furtherance to his strategy to escape any investigation into his wrongdoings, he deleted his other email ids viz office@ganton and info@njit;
- (6) In response to the constant queries of the complainant about contribution towards the paid up capital from Sh. Siddharth Tytler and h. Gian Chand Arora, h. Abhishek Verma in conspiracy with Sh. Siddharth Tytler and Sh. Gian Chand Arora circulated forged Bank statements, demand drafts and deposit slips indicating payment by Ganton India Pvt. Ltd. on their behalf. However, no such money was ever transferred to the bank Account and all the draft deposit slips and bank statements were forged;
- (7) As agreed upon between the parties, Mr. Haim Yashar as nominee for the complainant was to be an Authorized Signatory to the Bank Account and a bank application was sent to Mr. Haim Yashar who had duly completed the same and returned to Sh. Abhishek Verma for submission to the bank and the complainant was fraudulently and dishonestly made to believe that Mr. Yashar had been made the authorized signatory to the Bank Account. On 21.04.2010, when the complaint and Mr. Yashar came to India and met to Bank Official, they were told that Haim Yashar is not an authorized signatory to the bank account and the bank official refused to share any information with Mr. Yashar because as per their records Mr. Haim Yashar was not the authorized signatory, but instead Sh. Ram Prakash Singh, Mrs. Anca Maria Neacsu and Sh. Jitender Garg were the authorized signatures;
- (8) Mr. Haim Yashar immediately called upon the accused and informed them about the same. Sh. Abhishek Verma, despite being aware of the true factual position, insist Mr. Haim Yashar that the same will be checked with the company Secretary of the JV Company and the Relationship Manager at the Bank and a letter from the lower of the JV Company confirming that Mr. Haim Yashar is an authorized signatory shall be sent to him. However, till date no such confirmation was sent;
- (9) Along with the JV Agreement, a Service and Consultancy Agreement dated 15.12.2009 was executed between GT Telecom and TCM Mobile LLC (FCM) whereby it was agreed that TCM would provide services required to carry on the business of GT Telecom. Under the terms of this Service and Consultancy Agreement, TCM was entitled to USD 3,00,000 as an advance amount;
- (10) Relying on the false representations of Sh. Abhishek Verma, the complainant executed a Rights Transfer Agreement and mailed it for execution by the authorized representatives of Sh. Siddharth Tytler and Sh. Gian Chand Arora. However, till date the said Rights Transfer Agreement was not signed by the Indian Party, while investment made by the complainant in GT Telecom has been fraudulently withdrawn;

- (11) On 22.05.2010, an e-mail was received by the complainant from Sh. Arjun Arora and Sh. Vikki Choudhry wherein it was stated that the complainant was misinformed that clause 3.3 of the JV Agreement has been triggered and that GT Telecom is headed towards dissolution, but immediately, the complainant was informed by Sh. Abhishek Verma that efforts are being made to peacefully resolve the matter, and complainant kept waiting anxiously for the execution of the Rights Transfer Agreement and to get back their investment, but neither the agreement has been executed nor the money has been repatriated to the complainant;
- (12) On being continuously harassed by Sh. Abhishek Verma and his associates, Mr. Haim Yashar and the complainant tendered their resignation from the Board of GT Telecom with effect from 01.09.2011, but malafidely and deliberately till date the same has not been taken on record nor have the regulatory authorities has been informed of the same;
- (13) Sh. Abhishek Verma circulated a forged Debt Advice to TCM indicating that US\$ 3,00,000 has been wired to them from ABN Amro Bank. He sent another e-mail using a fake e-mail id reflecting a transfer of Euro 6,96,300 from his Lichtenstein bank account which he held in LGT Bank to the complaint, but both the amounts have not been received by the complainant.
- (14) On 24.04.2010 Sh. Abhishek Verma informed the complainant and the board of directors of JV company that pursuant to a notification passed by Department of Telecom (DOT) the project has become unviable in India and therefore they should drop the Project. Sh. Arjun Arora and Sh. Vikki Choudhry who were copied on this email at no time objected to the course of action suggested by Sh. Abhishek Verma in collaboration with the others, all of whom appear to have used this as a stratagem to wind down the business and squander the investment made by the complainant for their personal benefit;
- (15) Sh. Abhishek Verma informed the complainant that the JV agreement allows both parties to exit with mutual consent and the JV Company can be dissolved and the investment/capital can be repatriated back to both the parties immediately. Again on 06.05.2010 the complainant was informed by Sh. Abhishek Verma that clause 3.3 of the JV Agreement can be used to terminate the JV Agreement when there is a restriction/impediment in the business of GT Telecom and that the Indian JV Partners can buy out the complainant. Mr. Haim Yashar and the complainant were threatened on phone and via text messages by Sh. Abhishek Verma wherein he had stated that "Do what u feel like doing and be prepared for a bloodbath" and "Indian Customs and Immigrations would be definitely looking forward to welcoming you during your and Haim's next trip to India".

From the above, there are reasons to believe that the suspected person have made illegal earnings arising out of the aforementioned criminal acts, and generated funds which are proceeds of crime, and thus are required to be traced out. There is a strong suspicion that the said Proceeds of Crime may have undergone process of laundering by the suspected person, for acquisition of various movable/immovable assets, by projecting the same as untainted property. The suspected persons committed the offences under Section 420 of Indian Penal Code, 1860, which is the Scheduled offence under the Prevention of Money Laundering Act (PMLA), 2002.

34

8. On the basis of the aforesaid information/document(s), a prima-facie case for an offence of Money Laundering (Section 3 of the Prevention of Money Laundering Act) punishable under Section 4 of the said Act appears to have been made out against the above named suspected persons.
9. A case is therefore registered and is taken up for investigation under the provisions of Prevention of Money Laundering Act and Rules framed there under.



(P. Bhogendra Singh)  
Assistant Director

Dated: 28.02.2014

Copy forwarded to:-

- (i) The Director, Directorate of Enforcement, New Delhi
- (ii) The Regional Special Director, Central Region, New Delhi,
- (iii) The Additional Director, Headquarters, Directorate of Enforcement, New Delhi
- (iv) The Additional Director, Directorate of Enforcement, Central Region, New Delhi
- (v) Guard File,

Dated: 28.02.2014



(P. Bhogendra Singh)  
Assistant Director



Countersigned

35  
Annexure P-3

CC No. 35/1/2000, CC 92/1/01, CC No. 91/1/01, CC No. 926/1/02, CC No. 762/1/02, CC NO. 763/1/02, CC No. 585/1/02, CC No. 581/1/02 & CC No. 582/1/02.

PS IGI Airport

Case No.

01.05.2017

Present : Ms. Mayuri Shukla, Ld. counsel for the applicant.

Ld. counsel for applicant M/s Corewip Cyprus filed a common application in all the aforesaid nine cases. The application is retained in CC No. 35/1/2000.

Issue notice of the application to the complainant i.e. Enforcement Directorate and Respondent Abhishek Verma for 19.05.2017 at 12:30PM.

(Jyoti Kler)

ACMM-01/ND/01.05.2017

Annexure P-4

36



IN THE COURT OF SHRI J.P.S. MALIK, CBI COURT, TIS HAZARI,  
DELHI

In the Matter of:

CBI VS Ashok Kumar Aggarwal

FIR NO. S18/E0001/1999 dated 29.01.1999

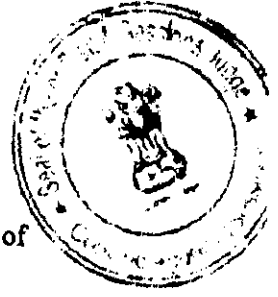
**APPLICATION ON BEHALF OF THE APPLICANT / ACCUSED  
PERSON i.e. SH. ABHISHEK VERMA FOR WITHDRAWAL OF HIS  
APPLICATION DATED 18.07.2000 FOR BECOMING AN APPROVER  
AND ALSO TO RETRACT HIS STATEMENT MADE U/S 164 OF THE  
CR.P.C.**

Most Respectfully Showeth:

1. That the present case is pending before this Hon'ble Court at the stage of deciding the approver status of the applicant as per the order of the Hon'ble Supreme Court of India.
2. That the applicant had moved an application on 18.07.2000 for becoming an approver in the above case and after hearing the CBI and the applicant, this Hon'ble court vide order dated 07.09.2001 had made the applicant an approver in the case and granted him pardon.
3. That the above order dated 07.09.2001 was set aside by Hon'ble High Court of Delhi vide order dated 20.08.2007 on being challenged by co-accused Ashok Kumar Aggarwal with a direction to this Court to rehear the application of the applicant in light of the entire material brought by CBI and also in view of the criminal cases pending against the applicant and the charge sheet filed by the CBI before this Hon'ble Court.
4. That the order dated 20.08.2007 passed by Hon'ble High Court of Delhi was challenged by CBI itself before the Hon'ble Supreme Court of India

*[Handwritten signature]*





by filing SLP (Crl.) No. 7266/2007 @ Criminal Appeal No. 1837 of 2007 stating therein that the CBI wants to continue with the Approver status of the Applicant. It is submitted that the SLP filed by the CBI was dismissed by the Hon'ble Supreme Court of India vide its judgment dated 22.11.2013, where the order of Hon'ble High Court of Delhi was upheld and directions were given to the Ld. Special Court to reconsider the Approver status of the Applicant.

- 5. That after the said judgment was passed by the Hon'ble Supreme Court of India this present Hon'ble Court was directed to hear and reconsider the application of the applicant.

**BRIEF HISTORY LEADING TO FILING OF THE PRESENT APPLICATION.**

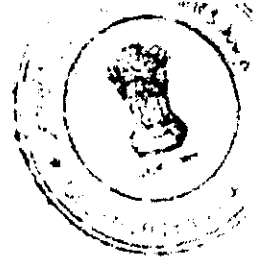
- 6. It is submitted that at the initiation of the present case the Applicant was made an approver only under the pressure of the CBI against the co-accused i.e Sh. Ashok Aggarwal. The applicant at that stage was not having any other alternative but to succumb to the illegal pressure of the CBI to become an approver against the co-accused i.e. Sh. Ashok Aggarwal.

- 7. That today the applicant respectfully submits before this Hon'ble Court that he does want to continue pursuing becoming an approver in the present case and therefore, the applicant is moving the present application to withdraw his application dated 18.07.2000 for becoming an approver and the same be treated as withdrawn with immediate effect.

*Handwritten signature*

**ATTESTED**  
By Court Clerk (Seal)

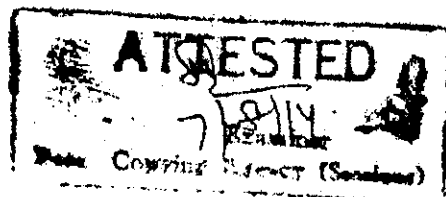




8. That it is pertinent to mention here that the applicant has been made a victim of the conspiracy hatched by some CBI officers who had manipulated the applicant as a convenient tool to settle their personal scores with the co-accused. It is very important to mention here that the applicant was forced and pressurized to make a false statement implicating himself and the co-accused in the present false case of forgery under the threat of elimination of the applicant and his family. The applicant submits that he had not committed any forgery of alleged debit advice nor he asked any of his employees to plant the same in the fax machine of a FERA accused Subhash Barjarya. The entire concocted story was put in the mouth of the applicant by Investigating Officer Ramnish Geer, the then Dy. S.P., CBI who was hell bent to ruin co-accused i.e. Sh. Ashok Aggarwal. That the Applicant having no way out, fell prey into the hands of the CBI officers only to save himself and his family and also his business. The CBI officers made the applicant move the said application before this Hon'ble Court completely under the threat, force and coercion. The Applicant was told that the moment he will move application for becoming an approver the CBI will give No-objection as entire investigation and control of the case was in their hand more specifically Sh. Ramish Geer, who had serious disputes with the co-accused Sh. Ashok Aggarwal.

When the order passed by this Hon'ble Court was challenged in higher courts the applicant had no alternative but to support its stance and contest as he was under threat, as if the applicant will not contest in higher courts the CBI will further falsely implicate the applicant in case

*[Handwritten signature]*

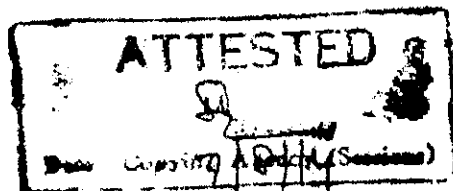




under stringent law like Official Secrets Act, Prevention of Corruption Act, under Prevention of Money laundering cases. The applicant has a widow mother who is completely bedridden therefore the Applicant had no choice but under fear and threat had to succumb to the illegal demands of Ramish Geer and other CBI officers.

9. That on the contrary the CBI officers falsely implicated the applicant in various cases and the applicant has now at this stage has clearly understood the illegal motive and ulterior designs of CBI officers and therefore the applicant has decided to expose the CBI officers who have misuse their power and position to falsely implicate the Applicant and the co-accused.
10. That it is submitted that the applicant after losing every thing understood the illegal motives of these CBI officers and is, therefore, today voluntarily placing these correct and truthful facts before this Hon'ble Court in the interest of justice and hence praying for withdrawal of his aforesaid application dated 18.07.2000 and also praying to retract his statement made u/s 164 Cr.P.C.
11. That the applicant after becoming victim to the illegal pressure of CBI officers was force to make statement u/s 164 of Cr.P.C, which was drafted and dictated word by word by the CBI officers as at that particular moment the applicant was petrified and terrorized by the CBI officers and the applicant had to abide by their illegal directions.
12. That the applicant humbly prays before this Hon'ble Court to allow him to retract his statements made u/s 164 and 161 of Cr.P.C. It is submitted

*[Handwritten signature]*





that both the statements were recorded under pressure, duress, force and coercion of the CBI officers thereby being not valid in the eyes of law.

- 13. That in view of the above the applicant submits that his application dated 14.01.2013 is pending before this Hon'ble Court and the same may also be allowed to be withdrawn.
- 14. That the present application is made bonafide without any pressure from anyone and the applicant is willing to stand by the present application in the interest of justice.
- 15. That the present application is also supported by an affidavit of the applicant.

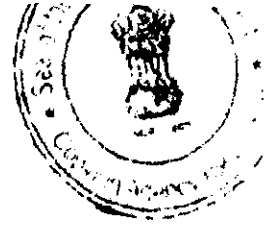
**PRAYER**

It is therefore, most respectfully prayed that this Hon'ble Court be pleased to:-

- a) Pass an order allowing the applicant to withdraw his application dated 18.07.2000 for becoming an approver under the pressure and threat of the CBI officers as stated in the present application;
- b) Pass an order allowing the applicant to withdraw his application dated 14.01.2013;
- c) Pass an order thereby allowing the applicant to retract his statement made u/s 164 Cr.P.C;
- d) Pass an order holding an enquiry against Shri Ramnish, the then Dy. S.P. CBI and the Investigating Officer of the present case for coercing and pressuring the applicant to make false and concocted statement and

*[Handwritten signature]*

**ATTESTED**  
*[Signature]*  
 Court Officer (Clerk)  
 7/8/14



further directions be passed to take appropriate action against the erring officers of CBI as per law;

- e) Pass an order for protection of life and property of the applicant in jail as the applicant now fears threat to his life;
- f) Pass any other or further order(s) as this Hon'ble Court may deem fit and appropriate in the interest of justice.

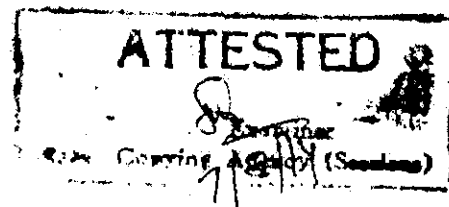
Applicant/ Accused Person

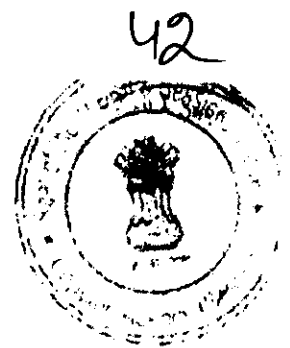
(Abhishek Verma)

Presently in Judicial Custody

Delhi

Dated: 31/07/2014





IN THE COURT OF SHRI J.P.S. MALIK, CBI COURT, TIS HAZARI,  
DELHI

In the Matter of:

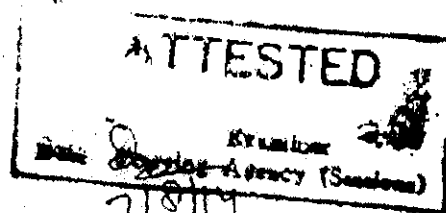
CBI VS Ashok Kumar Aggarwal

FIR NO. S18/E0001/1999  
Dated 29.01.1999

**AFFIDAVIT**

Affidavit of Sh. Abhishek Verma S/o Late Shri SriKant Verma, aged 47  
years (approx.), presently lodged at: C/o Superintendent of Jail, Jail No. 4,  
Tihar Jail, Delhi and permanent resident of C-157, Minto Road complex, Delhi,

- I. the above named deponent do hereby solemnly affirm and declare as under:
1. That I am the Applicant and accused in the above noted case and being well conversant with the facts and circumstances of the case, competent to swear this affidavit.
  2. That the accompanying application for withdrawal of my application dated 18.07.2000 and 14.01.2013 and retraction of my statement u/s 164 and 161 of the Cr.P.C has been drafted by me. I admit the same as true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.
  3. That the contents of the same are not repeated herein for the sake of brevity and convenience and the same may be read as part and parcel of this affidavit.





4. That it is my true and correct statement and is made without any pressure or force.

*[Signature]*  
Deponent

**Verification:**

Verified at New Delhi on this 31 day of July, 2014 that the contents of the foregoing affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

*[Signature]*  
Deponent

Office of the District & Sessions Judge  
Delhi  
Certified to be True Copy  
Date \_\_\_\_\_ Examiner  
Coopering Agency (Sessions)  
Authorized under Sections 78 of the  
Indian Evidence Act, 1978

Annexure P-5

To  
 From  
 Name  
 K. V. Chowdary  
 MEMBER-CBDT-4  
 Special Secretary to the Govt. of India

2/06/2014  
 30/05  
 JP/EO  
 2/6/14  
 02/06/2014  
 Ministry of Finance Dept  
 Office of the Director  
 CBI New Delhi  
 Dy. No. 3393-CEO  
 Dated 30-5-14  
 Tel. 23001553

Dear Shri Rajni Singh Sahab,

Please refer to your D.O. letter to Chairman, CBDT dated 12.05.2014 requesting for cases investigated/under investigation with the Department against Sh. Abhishek Verma.

- The Income Tax Department conducted a search on Sh. Abhishek Verma in 1999, following the relevant assessments and penalties were finalized (details of outstanding demands enclosed assessment for the A.Y. 2012-13 is also pending with the Department.
- Some complaints alleging possession of funds in some foreign bank accounts and unaccounted money through a maze of entities located in foreign jurisdictions, receipt of USD black listed defense equipment supplier named RAD of Switzerland, receipt of Rs. 4300 crore of total value of Rs. 43000 crore) in the defense deal for sale of "Air defense guns systems" to large scale fraud committed by Sh. Verma and his wife by travelling on discounted 10% air ticket British Airways, New Delhi, non-payment of income-tax by Ms. Anca Nencsu, wife of defrauding an FII of USD 1 million (complaint by Corwip Ltd., Cyprus), extortion of money from IPL, parking of USD 205 million in a bank in USA having received it by acting as middleman defense deals, routing of money through hawala channels for which a case was reportedly registered for money laundering and payments through Amex Cards to M/s PB International, an escort service in Belgium, for obtaining services of escorts and call girls for attending parties in India have been investigated by the Investigation Division of Income Tax Department. The investigating officers are collecting information/evidence as part of investigation into above allegations. They have contacted the concerned ED also on several occasions for exchange of information and for sharing of their investigations.

With regards,

Shri Rajni Singh,  
 Director,  
 Central Bureau of Investigation,  
 S-B, C.G.O. Complex,  
 Lodhi Road,  
 New Delhi-110003

Yc  
 (K. V)

**OFFICE OF THE DISTRICT & SESSIONS JUDGE (HQs): DELHI****CIRCULAR**

As per directions of Hon'ble Supreme Court of India and Hon'ble High Court of Delhi, district courts have to achieve target of Five Plus Zero pendency by **31.12.2018** in respect of cases/Appeals/Revisions etc. In the meeting of State Court Management Systems Committee dated 29.05.2017, it has been directed that all the Ld. Judges are to prepare an action plan in respect of cases pending in their respective courts.

It is proposed that all the ten years old cases shall be disposed off by **31.12.2017** and all the five years old cases as on date are proposed to be disposed off by **30.06.2018** and the remaining pending cases which will be five years old by end of December, 2018 shall be disposed off by **31.12.2018**.

The action plan is to be prepared case-wise in the following format:-

Sl. No.	Case No.	Case title	Case type	Stage	NDOH	Target date for disposal of case(s)	Remarks

Case-wise action plan be submitted by **08.06.2017** through the Office of concerned Ld. District & Sessions Judge.

*Talwant Singh*  
(Talwant Singh)  
District & Sessions Judge (HQs)  
Delhi

No. 39264-384/SCMSC/Gaz./2017 Dated, Delhi the 5-6-17

Copy forwarded for information and necessary action to:-

1. The Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
2. The District & Sessions Judge, North-West District, Rohini, Delhi.
3. The District & Sessions Judge, South District, Saket, New Delhi.
4. The District & Sessions Judge, South-West District, Dwarka, New Delhi.
5. The District & Sessions Judge, West District, Tis Hazari, Delhi.
6. The District & Sessions Judge, North District, Rohini, Delhi.
7. The District & Sessions Judge, South-East District, Saket, New Delhi.
8. The District & Sessions Judge, East District, Karkardooma Court, Delhi.
9. The District & Sessions Judge, New Delhi District, Patiala House Courts.
10. The District & Sessions Judge, Shahdara District, Karkardooma, Delhi.
11. The District & Sessions Judge, North-East District, Karkardooma, Delhi.  
(with the request to circulate the same amongst the Judicial Officers posted in your district.)
12. All the officers of DHJS & DJS, Central District, Tis Hazari Court, Delhi.
13. The PS of the District & Sessions Judge (HQs), Delhi.
14. The Web-site Committee (English/Hindi), THC, Delhi.

*Talwant Singh*  
District & Sessions Judge (HQs)  
Delhi



46

IN THE COURT OF SHRI SATISH KUMAR ARORA CMM  
TIS HAZARI, DISTRICT COURTS AT ~~NEW~~ DELHI

CIVIL / CRIMINAL / ORIGINAL / APPELLATE JURISDICTION

NO. \_\_\_\_\_ / 2017

In the matter of :

Central Bureau of Investigation Plaintiff(s)/ Petitioner(s)

Versus

Ashish Verma Defendant(s)/Respondent(s)

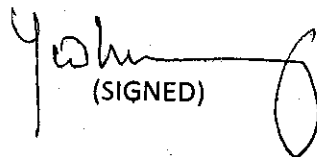
M/s Corewip Cyprus. . . . Applicant

VAKALATANAMA

I/We Vikki Choudhary ~~is~~ the Plaintiff/Appellant(s)/Petitioner(s)/Respondent(s) in the above Petition/Appeal/Suit/Reference do hereby appoint and retain **Shri HARSHVARDHAN JHA, Advocate**, to act and appear for me/us in the above Suit/Appeal/Petition Reference and on my/our behalf to conduct and prosecute (or defend) or withdraw the same and all proceeding that may be taken in respect of any application connected with the same or any decree or order passed therein. Including proceeding in taxation and application for review, to file and obtain return of documents, and to deposit and receive money on my/our behalf in the said Suit/Appeal/Petition/Reference and in application for review and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to rectify all acts done by the aforesaid advocate in pursuance of this authority.

Dated this the 10<sup>th</sup> day of August, 2017

Accepted, Identified & Verified

  
(SIGNED)

PLAINTIFF/PETITIONER/DEFENDANT/RESPONDENT  
CAVEATOR/ OPPOSITE PARTY/ INTERVEN

**HARSHVARDHAN JHA** & MAYURI SHUKLA  
Advocate  
12, Lawyers Chamber,  
Supreme Court of India,  
New Delhi 110001  
(M) 9873050004  
Enrollment No. D-5/2002

