

फार्म नं. 1

प्रथम सूचना प्रतिवेदन (धारा 154 द. प्रक्रिया संहिता के अन्तर्गत)
FIRST INFORMATION REPORT (Under Sec. 154 Cr.P.C.)

वि.पु.स्था.सी.-II
S.P.E.C.-II

बुक नं. **1276**
Book No.

क्रम सं. **08**
Serial No.

1. जिला : थाना : वर्ष : प्र.सू.प्र.क्र. दिनांक :
District PS: Year FIR No. Date
New Delhi AC.III 2018 13(A) 15/10/2018
2. (1) विधान : धाराएं :
Act Sections
(2) विधान : धाराएं :
Act PC Act 1988 Sections 7 & 13(2) r/w 13(1)(d)
& section 7A of PC Act as
(3) विधान : धाराएं :
Act IPC Sections 120 B
(4) अन्य विधान एवं धाराएं :
Other Acts & Sections
3. (क) प्रतीत अपराध :
(a) Suspected Offence Criminal conspiracy, criminal misconduct under PC Act.
(ख) दिन : दिनांक समय
(b) Day Date Time
(ग) थाने पर सूचना प्राप्त होने का 2017 onwards दिनांक
(c) Information received at PS Date
कायमी अपराध : दिनांक समय
Entry No. Date Time
07 15/10/2018 8.00 PM
4. सूचना का प्रकार :
Type of Information लिखित/मौखिक
Complaint Written/Oral
5. घटना का स्थान
Place of Occurrence
New Delhi & Dubai.
(क) थाने से दिशा व दूरी :
(a) Direction & Distance from PS N/A

बीट नं. / Beat No.

CCP

(ख) पता:
(b) Address

(ग) घटनास्थल अन्य थाना क्षेत्राधिकार में है तो थाना -
(c) In case, outside the limit of this Police Station, then

N.A.

पुलिस थाना का नाम
Name of PS

जिला
District

6. अभियोगी / सूचनाकर्ता :
Complainant / Informant

Shri Sathish Babu Sana
S/o Late Shri Sana Subba Rao
R/o Villa 72, Hill Ridge Villas
Besides Indian School of Business, Gachibowli,
Hyderabad (Telanagana)

(क) नाम
(a) Name

(ख) पिता / पति का नाम
(b) Father's / Husband's Name

(ग) जन्म तिथि
(c) Date of Birth

(घ) राष्ट्रियता :
(d) Nationality

(ङ) पासपोर्ट नं. जारी दिनांक जारी होने का स्थान
(e) Passport No Date of Issue Place of Issue

(च) व्यवसाय
(f) Profession

(छ) पता -
(g) Address

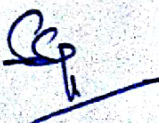
7. ज्ञात / संदेही / अज्ञात / आरोपी का पूर्ण विवरण :
Details of known / suspected / unknown accused with full particulars
(यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
(Attached separate sheet, if necessary)

(1)

(2)

(3)

1. Shri Rakesh Asthana, Special Director, CBI, New Delhi
2. Shri Devender Kumar, Dy. SP, SIT, CBI, New Delhi
3. Shri Manoj Prasad (Private person)
4. Shri Somesh Prasad (Private person)
5. Unknown others



8. अभियोगी / सूचनाकर्ता द्वारा सूचना दिए जाने में विलंब का कारण :
Reasons for delay in reporting by the complainant / informant
9. अपहृत / सम्बद्ध सम्पत्ति का पूर्ण विवरण : (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
Particulars of properties Stolen (Attach separate sheet, if necessary)
- N/A
10. अपहृत / सम्बद्ध सम्पत्ति का कुल मूल्य :
Total value of property stolen
- N/A
11. मर्ग / अकाल मृत्यु सूचना क्रमांक :
Inquest Report / U.D. case No. if any
- N/A
12. प्रथम सूचना विवरण :- (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
First Information contents (Attach separate sheet, if required)

Separate sheets attached

See

INFORMATION

A complaint dated 15.10.2018 has been received from Shri Sathish Babu Sana S/o Late Shri Sana Subba Rao R/o Villa 72, Hill Ridge Villas, Besides Indian School of Business, Gachibowli,, Hyderabad (Telangana). The complaint is annexed herewith.

The acts of the public servants and private persons namely Shri Rakesh Asthana, Special Director, CBI, New Delhi, Shri Devender Kumar, DSP, CBI, SIT, New Delhi, Shri Manoj Prasad, Shri Somesh Prasad as mentioned in the complaint prima facie disclose the commission of offences punishable under section 120B IPC and section 7, and 13(2) r/w 13(1)(d) of Prevention of Corruption Act 1988 and section 7A of Prevention of Corruption Act (as amended in 2018).

Therefore, a Regular Case is registered against Shri Rakesh Asthana, Special Director, CBI, New Delhi, Shri Devender Kumar, DSP, CBI, SIT, New Delhi, Shri Manoj Prasad, Shri Somesh Prasad and other unknown public servants and private persons and entrusted to Shri Ajay Kumar Bassi, DSP, CBI, AC.III, New Delhi for investigation.


(SS-Gurm) 15.10.18

Superintendent of Police
CBI/AC.III/New Delhi

SUPDT. OF POLICE
CBI/AC III, N DELHI

Endst No. 3/13(A)/2018-AC.III/ 59-C4 dated 15/10/2018

1. The Special Judge for CBI cases, Patiala House, New Delhi.
2. The Secretary, CVC, INA, New Delhi.
3. The Joint Director (P), CBI, New Delhi.
4. The HoZ/AC(HQ)-I, CBI, New Delhi.
5. Head of Branch, CBI, AC.III, New Delhi
6. Shri Ajay Kumar Bassi, DSP, CBI, AC.III, New Delhi.

9C

To

The Director
Central Bureau of Investigation
New Delhi.

Alb
AD/AKS
15/10/18

Sub: Complaint against harassment and extortion. – reg.

Sir,

It is submitted that I received a notice from Shri Devender Kumar, Deputy Superintendent of Police, CBI, New Delhi u/s 160 of Cr.PC on 09.10.2017 directing me to appear before him at CBI Office, New Delhi on 12.10.2017. The case details mentioned in the said notice as RC 2242017A0001 against Moin Akhtar Qureshi & others. Accordingly, I appeared before DSP, CBI, Shri Devender Kumar on 12.10.2017 at his office at New Delhi where Shri Devender Kumar questioned me about my relations with Moin Akhtar Qureshi and I was also made to listen some audio conversation between me and Moin Akhtar Qureshi about bail matter of one Sukesh Gupta. I explained in detail my relationship with Shri Qureshi to DSP Shri Devender Kumar on 12.10.2017 who recorded my statement and thereafter I was allowed to go home.

It is further submitted that I received another notice on 17.10.2017 from aforesaid Sh. Devender Kumar, DSP CBI whereby I was asked to attend CBI Office, New Delhi on 23.10.2017 which I did. On this day, I was again asked the same questions including about giving Rs. 50 lakhs by me to Shri Qureshi in the year 2011. I informed the aforesaid officer that I had invested Rs 50 lakhs in Qureshi's company namely M/s Great Height Infra, which was a genuine transaction and even declared by me in my income tax returns. Thereafter, I was allowed to go home.

It is further submitted that I was again called at CBI office, New Delhi on 01.11.2017 and surprisingly the said Sh. Devender Kumar again asked me the same questions. On this day, Shri Sukesh Gupta, Shabbir Ali and Moin Akhtar Qureshi were also present in the CBI office. On questioning, Shri Sukesh Gupta, Shabbir Ali and Moin Akhtar Qureshi had given the same answers which I had already given to the Investigating Officer Shri Devender Kumar. But the IO told me that I had paid Rs 50 lakhs to Qureshi for Vanpic case, which I denied. I once again submitted that I am innocent and I was not at all involved in the Vanpic Case.

Thereafter, I was once again called at CBI Office, New Delhi on 30.11.2017. As I had some urgent personal commitments, I expressed my inability to attend CBI

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office. However, I assured the IO that I would send all my account details as desired by him, through courier. Accordingly, I sent the same through Courier Service.

Thereafter, I left for Dubai on 02.12.2017 from Hyderabad for some business meeting. As I fell ill, I stayed there for about 15-20 days. During this visit to Dubai, I met Shri Manoj Prasad, who is known to me for the last about ten years. He is an investment banker in Dubai and running business in the name and style of Q Capital at Dubai. During the conversation, I informed him about mine being summoned at CBI office, New Delhi in a CBI case and narrated about the matter. On that, Sh. Manoj Prasad informed that he has very good connections in CBI and further assured me that he would help me out in the CBI case by using these connections in CBI and through his brother Shri Somesh Prasad. Shri Manoj Prasad introduced me with his brother in his office. Thereafter, Shri Somesh Prasad called a CBI officer over telephone in my presence as well as in the presence of Shri Manoj Prasad and explained my issue to him. After talking to the said CBI officer over phone, he assured me that my problem would be solved and no further notices will be issued to me by the CBI. Sh. Somesh Prasad further told me that I will have to pay an amount of Rs. 5 crores to the CBI officer through him. Sh. Somesh Prasad further informed that in order to get favour in the case from the CBI officer, I will have to pay an amount of Rs 3 crores as an advance and remaining amount of Rs. 2 crores at the time of filing chargesheet in the case, and in lieu of this money, the said CBI officer would manage clean chit to me.

It is further submitted that upon enquiries by me about the CBI officer to whom he spoke over phone in my presence, Sh. Somesh Prasad showed me the DP of his whatsapp contact picture, as available in his mobile phone, by stating that he was the CBI officer to whom he spoke and who assured favour to me in the CBI case in lieu of payment of Rs. 5 crore. The said picture was of an officer in the police uniform. Shri Somesh Prasad disclosed the identity of the CBI officer to whom he talked in my presence and whose photo was available in the DP as Shri Rakesh Asthana, Special Director in CBI. Later on, I checked the photograph of Shri Rakesh Asthana through Google and found that the photographs available on google search were the same as available in DP/contact list of Shri Somesh Prasad.

Believing them and to get rid of unbearable harassment and mental agony being faced by me and by my family, I arranged and paid an amount equivalent to INR Rs. 1 Crore to Shri Manoj Prasad at his office in Dubai. Thereafter, on being informed by Shri Somesh Prasad about the details of one Sh. Sunil Mittal (Mobile No. 9810058407), his contact person, I arranged payment of an amount of Rs. 1.95 crores to Shri Sunil Mittal. This payment was made on 13.12.2017 at about 09.25 PM



in the Parking area of Press Club of India, Raisina Road, New Delhi through one of my office person namely Punit, who was using mobile phone No.9654429000. I insisted for giving confidence of their efforts.

Immediately after the payment materialised, on 14th, Shri Somesh Prasad travelled to India. In next one or two days (may be 15th or 16th of December), during evening hours, he called me on my Dubai number from his Singapore number, mostly on whatsapp, and informed me that he would call me from the said CBI officer's room at Delhi. Within 5 minutes, he again called me on my Dubai number and asked me to listen to the conversation and he kept the phone/call on line to make me hear the conversation. Thereafter, I heard the voice of some person who was talking to another person. They first talked about some other matter and thereafter they started talking about my matter. I heard that the officer was giving instruction to some another person to look into my matter and thereafter, he disconnected the call by replying 'Jai Hind'. After about ten minutes, Shri Somesh Prasad again called me and informed me that I had listened to the voice of Shri Rakesh Asthana whose photograph was shown to me by him and he further told me that Mr Rakesh Asthana would take care of my CBI case in lieu of the payment of Rs. 5 crore as agreed earlier. I got confident and I came back to India on 21.12.2017.

When I met Somesh in Dubai, during discussion he said that Shri Rakesh Asthana will surely do the work as he (Somesh) manages his investment in Dubai and London for last many years. He further informed that Shri Rakesh Asthana stayed at his home in London last year. He also mentioned name of officers Samant Goel and Pervez Hayat with whom he is in touch with.

However, subsequently there was immense pressure on me to part with more money. I was also informed by Manoj that he is getting frequent messages from Somesh telling him that he is under lot of pressure from the concerned CBI officer for delivery of money. Manoj once disclosed to me that there are frequent exchanges of whatsapp messages between him and Somesh to this effect, which also includes some of the messages received by Somesh from concerned. I was repeatedly put under immense duress for parting of money. I have given some money during this period on multiple occasions to get relief from the intense pressure.

Thereafter, I did not receive any notice from the CBI after paying a sum of Rs. 2.95 crores to Shri Manoj Prasad in the above mentioned case of CBI. But to my utter surprise, I received another notice u/s 160 Cr.PC through e-mail on 13.02.2018 from Shri Devinder Kumar, DSP, CBI directing me to appear before him at CBI




Office, New Delhi on 19.02.2018. Since I was quite disturbed that even after paying a sum of Rs. 2.95 crores which I had managed with great difficulties, I was issued another notice by the CBI, I immediately talked to Shri Manoj Prasad over telephone and informed that I had again received a notice from CBI, which is against the promise given to me by him. On that, Shri Manoj Prasad informed me that I had to pay the balance amount of Rs 2 crore to avoid issuance of further notices from CBI and getting full relief from CBI. I told Shri Manoj Prasad that I would come to Dubai and discuss with him in detail in this regard. Shri Manoj Prasad asked me to attend CBI office on 19.02.2018 and assured me that my work is being done and CBI officer will handle me very softly. Accordingly, I attended the CBI office, New Delhi on 20.02.2018 with the oral permission of DSP Shri Devinder Kumar. I was again questioned on the same points viz giving 50 lakhs to Moin Akhtar Qureshi in 2011 and the IO again put to me that I had paid Rs 50 lakhs as bribe to Qureshi for coming out in Vanpic case investigated by CBI to which I again denied. I was also confronted with Moin Akhtar Qureshi on 20.02.2018 and he also denied of taking Rs 50 lakhs as bribe from me. Thereafter, IO DSP Shri Devinder Kumar again directed me to appear before him at CBI Office on 21.02.2018 but I left for Dubai on 20.02.2018 evening from Delhi and met Shri Manoj Prasad at Dubai. Shri Manoj Prasad informed me that Somesh Prasad is not in Dubai as he is travelling and asked me to pay the rest of the amount/whole of the amount to get my issue settled. Shri Manoj Prasad further informed me that the concerned CBI officer is also flying to Dubai and I could meet him at Dubai, but I told him that I would not meet anyone and requested him to resolve my issue at his own at the earliest as even after making to pay so much money, I was being harassed.

Thereafter, I got a mail from DSP Shri Devender Kumar on 26.02.2018, asking me to send bank account as well as transaction details which I had sent with necessary documents through e mail and by courier on 21.03.2018. Thereafter, I did not receive any further notice from CBI till the end of May, 2018.

I again received a notice from DSP Shri Devender Kumar on 05.06.2018 to attend CBI office on 09.06.2018 at New Delhi, but I requested the IO on telephone probably on 06.06.2018 for some another date for attending CBI office. DSP Shri Devender Kumar directed me to come along with my accountant on the next date for explaining the accounts. Thereafter, I did not receive any notice from CBI till 24.09.2018.

I further submit that in the night of 25.09.2018, while I was leaving for Paris along with my family by Emirates Airlines, I was stopped at Hyderabad Airport by Immigration officers. The Immigration Officer informed me that they have

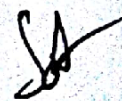


instructions in the form of Look Out Circular not to allow me to leave India and directed me to report to SP, CBI, New Delhi on 26.09.2018. I was totally disturbed at this development. I contacted DSP Shri Devender Kumar on telephone and asked him as to why Look Out Circular was opened against me when I had attended the CBI office regularly. He asked me to appear at CBI Office, New Delhi on 27.09.2018. However, as I was suffering from viral fever, I informed Sh. Devender Kumar, DSP on 27th morning through SMS that I would be able to attend the CBI office, New Delhi on 01.10.2018.

Accordingly, I attended CBI Office, New Delhi on 01.10.2018 and met DSP Shri Devender Kumar who took me to his SP Shri Jagroop. SP Shri Jagroop asked me why I was going to France. On that I clarified to him that I was going to France for admission of my son but he told me that I should have informed CBI before going to France. I was made to sit in CBI office on 1.10.2018 till 7 PM and thereafter both the aforesaid officers took me to Shri Sai Manohar, Joint Director, CBI. Shri Sai Manohar enquired from me why I was having partnership with Moin Akhtar Qureshi to which I denied. Shri Sai Manohar told me that I am lying and I am a Common Director in six companies and indulging in benami transactions with Moin Akhtar Qureshi. Thereafter, Shri Sai Manohar called the files and checked the same but he did not find my name as Director in any company. They directed me to appear again at CBI office on 3.10.2018. Shri Jagroop, SP CBI directed me to submit my handwritten statement explaining about my relations with Sukesh Gupta and with Moin Akhtar Qureshi. I remained in Delhi on 02.10.2018 and prepared my statement and submitted the same to IO DSP CBI Shri Devender Kumar on 03.10.2018. The IO told me that I am still not telling the truth and called me again on 09.10.2018 and issued notice for the same.

I have already disclosed gist of these facts before the Hon'ble Court in my statement recorded u/s 164 of Cr.PC at Delhi.

This fact disturbed me to a great extent and I became very afraid and contacted Shri Manoj Prasad to get me relief from this notice. I had made many communications including whatsapp calls and whatsapp messages with Shri Manoj Prasad. Shri Manoj Prasad replied that this all is happening due to non payment of balance amount to which I replied that the same will be made soon. Shri Manoj Prasad informed me that he has spoken to the concerned CBI officer and he has been informed that the CBI will not harass or arrest me. I was made to promise to pay Rs. 2 crores and on 9th morning as per the instructions of Shri Manoj Prasad, I sent an email expressing my inability to attend CBI office because of illness. There has been no communications from the IO after this.



In pursuance of the promise for payment of Rs. 2 crores, on 10th October, 2018 I was informed by Shri Manoj Prasad that his guy is waiting from 11 AM and that the money should be delivered to the said guy who was using mobile phone number 7497092054. Accordingly, an amount of Rs 25 lakhs was handed over by my person namely Punit (9654429000) to the person of Manoj Prasad using mobile phone No. 7497092054 in the shop called Diamond Polki located at Bank Street, Karol Bagh, New Delhi and a token was taken. However, I found very difficult to arrange the entire amount and therefore I requested presence of Shri Manoj Prasad at Delhi to handle the situation. Accordingly, I sent 25,000 Dirhams (approximately Rs. 5 Lacs) to Shri Manoj Prasad at Dubai through my friend Surya (mobile No. +971502181197) today on 15.10.2018 and the same was got delivered to him in his office at Dubai. This was for flight tickets of earlier visit of Somesh. After receiving 25,000 Dirhams he again asked me to send 30,000 Dirhams (approximately Rs. 6 Lacs) more towards meeting expenses of air-tickets for this visit of his own self. The said money was also got delivered to him in his office at Dubai through Muthu (Mobile phone No. +971521672353) who is driver of Surya.

In view of the above mentioned facts and circumstances, it is most humbly requested that I have been made to part with huge amount of money by the above named persons including CBI officers in the guise of helping me in a CBI case wherein I have no involvement. I, therefore, request you to take immediate legal action against the culprits in the interest of justice.

I have made recording of most of the whatsapp messages and whatsapp voice calls which I will produce as and when asked to do so.

S. Sathish Babu 15/10/2018
(Sathish Babu Sana)

s/o Late Shri Sana Subba Rao

r/o Villa 72, Hill Ridge Villas

Besides Indian School of Business (IBM)

Gachibowli, Hyderabad, Telengana

(presently at Delhi)

13. कार्यवाही जो की गई : चूँकि उपरोक्त विवरण क्रमांक 2 में उल्लिखित धारा(ओं) के अंतर्गत घटने वाले अपराध को उद्घाटित करता है

Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2

- (1) मामला पंजीकृत किया गया एवं जांच प्रारंभ हुआ अथवा
Registered the case and took up the investigation or

RC.13(A)/2018-AC.III registered.

- | | | | |
|--|----------------------|------------|---|
| (2) निर्देशित (जांच अधिकारी का नाम)
Directed (Name of IO) | रैंक
Rank | नं.
No. | जांच हेतु लिया गया
Took up for investigation |
| Shri Ajay Kumar Bassi | | | |
| | Dy. Supdt. of Police | | |

- | | |
|---|------------|
| (3) कारण से जांच के नामंजूर
Refused investigation due to | अथवा
or |
|---|------------|

N/A

- | | | |
|---|------------------|--|
| (4) पुलिस थाना को स्थानांतरित किया गया
Transferred to PS | जिला
District | क्षेत्राधिकार के आधार पर
on point of jurisdiction |
|---|------------------|--|

N/A

अभियोगी / सूचनाकर्ता को प्र.सू. पत्र पढ़ाकर / पढ़कर सुनाया गया, जिन्होंने सही-सही अभिलिखित होना स्वीकार किया। इसकी एक प्रति अभियोगी / सूचनाकर्ता को निःशुल्क प्रदान की गई।

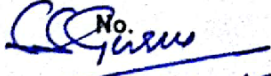
FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

पढ़ कर सुनाया व सही स्वीकृत होना पाया।
R.O.A.C.

14. अभियोगी / सूचनाकर्ता के हस्ताक्षर
Signature/Thumb Impression
of the complainant/informant

थाना अधिकारी के हस्ताक्षर
Signature of Officer in-charge
Police Station

नाम / Name
(पद) / Rank


(SS Gurm) 15/10/18

Superintendent of Police
CBI, AC-III, New Delhi

15. न्यायालय को भेजने का दिनांक एवं समय
Date and time of despatch to the court

SUPDT. OF POLICE
CBI/AC III, N DELHI

(प्रभारी अधिकारी के हस्ताक्षर तारीख सहित)
Signature of recording Officer with date