Crl.O.P.Nos.23377, 23728 & 22889 of 2023

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All these Criminal Original Petitions have been filed in Crime No.67 of 2023 registered for the offences under Sections 120(b), 409 420, 465, 468 and 471 of IPC.

2.Crl.O.P.No.23377 of 2023 has been filed by A7, Crl.O.P.No.23728 of 2023 has been filed by A4 and Crl.O.P.No.22889 of 2023 has been filed by A2.

3.The case of the prosecution is that the defacto complainant is the close relative of A1. It is also stated that knowing that the defacto complainant is possessed of cash, all the accused had joined together and had taken a decision to conspire with each other to get the defacto complainant to part with his money. They had planned to state that they would get Rs.9,000/- crores from a Pharmaceuticals Company in Ireland through Reserve Bank of India for their Company called M/s.Golden Enterprises at Goa and also that they would give Rs.5/- crore without interest for a period of five years. The defacto complainant, for all these promises, was asked to pay processing fees. Thereafter, several documents have been created by the accused persons. One of the document is dated 09.09.20222, purportedly under the letter of the Reserve Bank of India and signed by one K.Ramesh Lal whose designation is not given, that an appointment would be given with Hon'ble Finance Minister and Hon'ble Home Minister and that the

Hon'ble Minister would attach a sum of Rs.9,120/- crores to the Relief Fund account, if the claim is not made on or before 10.09.2022.

4.It is the specific case of the prosecution that this is a forged document. There is yet another letter dated 20.05.2022, again purportedly issued by the Reserve Bank of India, called India's Central Bank with reference No.SL1602/22 with a seal of Reserve Bank of India and signed by the Governor, RBI, wherein, it has been stated that the accounts will be credited with full funds of Rs.9120/- Crores with added interest within 24 hours from the remittance of the payment. The payment is the process fee to be paid. Again, it is a specific case of the respondent that this particular letter in the name of Reserve Bank of India is a fraudulent and forged document. There is yet another letter said to have been issued by Ajay Bhalla, I.A.S, with a seal of Government of India, stating that he is the Home Secretary to the Government of India and stating that the Home Minister can be met by S.Suresh Kumar and KR.Janaki on 23.12.2022 and it is again the specific case of the prosecution that this particular document is also a forged document. There is a further letter again said to have been written by the Governor of RBI, wherein, the release of funds had been confirmed from Dublin M/s Takeda Pharmaceuticals, Ireland to M/s Golden Enterprises to 5 suppliment account with file number. It is significant to note there is a spelling mistake in the word 'supplement' and that itself shows that it is a very bad case of forgery. There is a further letter again as if an order had been approved on 07.03.2022 that out of 10,000 euros, 5000 euros were pending in Cross Country Confirmation Panel. A similar letter dated 08.03.2022 has also been issued by the accused person. A cheque had also been produced to pay the Ministry of Finance a sum of Rs.10,92,24,00,000/- dated 07.07.2023, purportedly of YES Bank. It is the very specific case of the prosecution that this particular document is also a fraudulent document. The list goes on and on. It is only clear that the investigation will have to be done.

5.The learned counsel for the Accused No.7 proclaimed innocence by stating that he knows only the fourth accused and that a sum of Rs.11/- lakhs to Rs.12/- lakhs alone was transferred to the account of A4 to A7.

6.This statement by the learned counsel is false. It is not a correct statement made before this Court. It is the specific case, even according to the learned counsel for the fourth accused that amounts running to crores had been transferred to the account of the accused No.7. The very fact that a false statement has been made in Court, makes it clear that the petitioners herein have come to the Court projecting a false case as if a fabricated case had been lodged by the defacto complainant.

7.The learned counsel for the Accused No.2 stated that A2 is also one of the victim of the entire issue and was the first person to get arrested and remanded and stated that the second accused was in custody for nearly about 64 days as on date.

8.The learned counsel for the Accused No.4 also stated that A4 is the victim in the entire issue.

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9.However, the grant of any consideration to any one of the present petitioners is very strongly objected by stating that there has been a meeting of mind prior to commission of the offence by all the accused and an elaborate scheme was put in place by creating forged documents and enticing the defacto complainant to part with a huge sum of Rs.1.43/- crores and thereafter, to bring a colour of genunity, documents in the name of Reserve Bank of India and Cheque in the name of YES Bank had been created and fabricated. It is also seen that A3 is the Sub Inspector of Police and this Court had taken very serious view that the said Sub Inspector of Police have not been taken into custody. It is today informed that A3 had been taken into custody.

10.Taking a overall view of the entire issue it is seen that the investigation will have be done and flow of money will have to be determined and role of each one of the accused will have also to be determined.

11.At this stage, this Court is not inclined to grant bail to the petitioners.

12.Hence, these Criminal Original Petitions are dismissed.

02.11.2023

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