

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): EOW DELHI P.S.(थाना): ECONOMIC OFFENCES WING Year(वर्ष): 2016 FIR No(प्र.सू.रि.सं.):0142 Date (दिनांक):06/09/20

2. Act(s)(अधिनियम) Section(s)(धारा(एँ))
1 IPC 1860 409/420/120B/418

3. Occurrence of offence (अपराध की घटना):

(a) Day(दिन): INTERVENING DAY Date From(दिनांक से): 01/01/2005 Date To(दिनांक तक): 31/12/2012
Time Period (समय अवधि): Time From (समय से): 00:00 hrs Time To (समय तक): 00:00 hrs

(b) Information received at P.S.(थाना जहां सूचना प्राप्त हुई): Date(दिनांक): 06/09/2016 Time (समय): 11:00 hrs

(c) General Diary Reference (रोजानामचा संदर्भ): Entry No.(प्रविष्टि सं.): 004A Time (समय): 11:00 hrs

4. Type of Information (सूचना का प्रकार): WRITTEN

5. Place of Occurrence (घटनास्थल):

(a) Direction and Distance from P.S (थाना से दूरी और दिशा):

Beat No(बीट सं.): 895600100

(b) Address(पता): PARSVANATH DEVELOPERS LTD, 6 TH FLOOR ARUNACHAL BUILDING 19, BARAKHAMBIA ROAD NEW DELHI

(c) In case, Outside the limit of the Police Station (यदि थाना सीमा के बाहर हैं):

Name of P.S(थाना का नाम):

District(ज़िला):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):

(a) Name(नाम): SUSHIL GOEL PRESIDENT

(b) Date/Year of Birth (जन्म तिथि /वर्ष):

Nationality (राष्ट्रीयता): INDIA

(c) Passport No.(पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(d) Occupation (व्यवसाय):

(e) Address(पता): PARAMOUNT SUBHASH NAGAR, RESIDENT WELFARE ASSOCIATION EF-1/R INDERPURI, NEW DELHI, SOUTH V INDIA

7. Details of Known/Suspected/Unknown accused with full particulars(attach separate sheet if necessary)(ज्ञात/ संदिग्ध /अज्ञात अभियुक्त का पुरे विवरण सहित वर्णन):

1	PARSVNATH DEVELPERS LTD	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
2	PARDEEP JAIN CHAIRMAN	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
3	SANJEEV JAIN DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBIA ROAD, NEW DELHI, PS: , DIST: , STATE: ,

4	RAJEEV JAIN DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
5	PRITAM SINGH DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
6	ASHOK KUMAR DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
7	DEEPA GUPTA DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
8	MAHENDER NATH VERMA DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
9	R J KAMATH DIRECTOR	PRESENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: , PERMANENT :- 6TH FLOOR ARUNACHAL BUILDING, 19 BARAKHAMBA ROAD, NEW DELHI, PS: , DIST: , STATE: ,
10	PARSVNATH REALCON PVT LTD	PRESENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: , PERMANENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: ,
11	ASHIM GHANDI ADDITIONAL DIRECTOR	PRESENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: , PERMANENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: ,
12	YOGESH JAIN ADDITIONAL DIRECTOR	PRESENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: , PERMANENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: ,
13	VIVEK GARG ADDITIONAL DIRECTOR	PRESENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: , PERMANENT :- PARSVNATH METRO TOWER, NEAR SHAHDARA METRO STATION, SHAHDARA DELHI, PS: , DIST: , STATE: ,

8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

NO DELAY

9. Particulars of properties stolen/involved (attach separate sheet if necessary) (संबन्धित सम्पत्ति का विवरण):

SL.No. (क्र.सं.)	Property Type(Description)	Est. Value(Rs.)(मूल्य (रु में))	Status
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10. Total value of property stolen (चोरी हुई सम्पत्ति का कुल मूल्य):

11. Inquest Report / U.D. Case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी. प्रकरण न., यदि कोई)

12. F.I.R. Contents (attach separate sheet, if required)(प्रथम सूचना रिपोर्ट तथ्य):

5 February, 2016 To, The Joint Commissioner of Police. Economic Offence Wing. Mandir Mare, New Delhi . Sub:- Complaint against 1.M/s Parsvnath Developers Ltd. 2. Mr. Pradeep Jain (Chairman) 3.Mr. Sanjeev Jain (Director) 4. Dr. Rajeev Jain (Director) 5. Dr Pritam Singh (Director) 6. Mr. Ashok Kumar (Director) 7. Ms. Deepa Gupta (Director) 8. Mr. Mahendra Nath Verma (Director) 9. Mr. R J Kamath (Director) All address 6th Floor, Arunachal Building. 19-Barakhamba Road. New Delhi-110001. 10. M/s Parsvnath Realcon Pvt Ltd 11. Mr. Ashim Gandhi (Additional Director) 12. Mr. Yogesh Jain (Additional Director) 13. Mr Vevek Garg (Additional Director) All address

Parsvnath Metro Tower. Near Shandara Metro Station. Shahdara, Delhi-110032 for Extortion. Cheating. Fraud. Criminal Conspiracy Criminal Breach of Trust and Mischief with common intention Sir, The applicant/complainant namely PARAMOUNT SUBHASH NAGAR RESIDENTS WELFARE ASSOCIATION' is a registered body under Societies Registration Act, 1860 having registration no. S/ND/431/2014 The complainant is bringing to your kind notice the offences of Extortion Cheating. Fraud. Criminal Conspiracy. Criminal Breach of Trust and Mischief committed by M/s Parsvnath Developers Ltd and Parsvnath Realcon Pvt Ltd The accused company M/s Parsvnath Developers Ltd induced the innocent members of the complainant society to book flats and to extort money from them by painting rosy pictures and also the timely possession of the luxurious flats to the members of the complainant society. The accused company M/s Parsvnath Developers Ltd and its Directors named above represented to the members of the complainant society that the project Parsvnath Paramount Project consist of super luxury condominium. They Impelled and caused the members of the complainant society to make investment in the said project. The said accused company represented and cheated the members by making representations that they had all the requisite approvals and sanctions for the project and promised to make timely possession of the units. The accused company M/s Parsvnath Developers Ltd and its Directors represented that the project would have ground+8 floors at the maximum. Besides having other facilities viz Earth quake resistance structure 75% open and green area exterior texture finish Air conditioned apartments, RO Plant, Party lawn 24 hour power backup Jacuzzi Video & recreation facilities. The members of the complainant society believing the representations promises and the rosy pictures made by the accused company and booked apartments in the project "PARSVNATH PARAMOUNT" and parted with their hard earned money in huge sums. It is relevant to point out here that the average price of the Flat is more than Rs 1.20 crores (Rupees One Crore Twenty Lac Only) in the project though later it was increased upto Rs 4 Crores (Rupees Four Crores Only) The bookings were made during the period 2005-2012 The accused persons from the very beginning had dishonest intention and pursuant thereto made deceptive and false representation thereby inducing & luring the members of the complainant to part their hard earned money as their booking amount and allotted one flat each to them but no flat buyers agreement was provided to the members of the complainant society. The agreements, payments receipts and details of some of the members of the complainant society are being furnished with this complaint which will make it abundantly clear that the members of the complainant society have paid 80-90% of the cost of the flat to the developer M/s Parsvnath Developers Ltd and Parsvnath Realcon Pvt Ltd. For better understanding the offences of Extortion, Cheating Fraud Criminal Conspiracy. Criminal Breach of Trust and Mischief of the accused company the facts are given below in chronological manner 09/11/2005 Delhi Metro Rail Corporation Ltd invited bid for project land 17/11/2005 Bid of the accused company was accepted by DMRC 17/04/2006 Agreement between DMRC and PDL was executed 27/09/2006 Lease deed dated 21 09 2006 was executed 2006 The accused persons submitted the layout plan for approval to MCD, Delhi 2007 MPD-2001 was superseded by MPD-2021 which got promulgated in February, 2007 23 8.2007 Layout plan of the project submitted in 2006 was approved by LOSC, MCD 6 6.2008 Standing Committee MCD approved the layout plan 19 05 2009 MPD-2021 was further amended whereby 15% FAR for EWS was provided above permissible FAR of 200 22.7.2010 Building plans with 200 FAR were approved 19.10.2010 Revised plans with 230 FAR were submitted to MCD. 22.12.2010 Parsvnath Developers Ltd entered a MOU with Parsvnath Realcon Pvt Ltd 30.10.2011 Accused persons made illegal construction like constructed double basement construct additional floors for which the construction premises was sealed for unauthorized construction 13.12 2011 Revised building plans were approved by Delhi Fire Service 23.12. 2011 Later the accused persons somehow managed to get construction site desealed 8.2.2012 Revised building plans approved by Delhi Urban Art Commission 28 3.2012 Building Plan Committee. MCD approved the revised building plans subject to NOC from DDA. 19.11.2013 DMRC made request to Commissioner (LD) DDA for issuing NOC 2012-2014 The accused persons failed to obtain NOC from DDA 21.8.2014 Building plans of Parsvnath Developers Ltd was rejected. 23.01.2015 Sealing order issued by SDMC. Feb 2015 Two separate appeal were filed by the accused company before Administrative Tribunal, MCD against orders dated 21 8 2014 and 23.01.2015 08. 04. 2015 Administrative Tribunal. MCD directed the parties to maintain status quo 2015-2016 It is to be noted that the building plan sanctioned on 22 07 2010 were having validity upto 21 07 2015 and accused persons have not completed the construction within the said period of time and at present the entire building is without sanctioned plan and the entire construction is nothing but a unauthorized construction for which the accused persons have collected huge sums of money from the members of the complainant society by making false promises, representations and since very beginning the accused persons never have intention to complete the building and the huge sums collected from the members of the complainant society were diverted to their other projects in most clandestine and surreptitious manner. Thus they are guilty of Extortion. Cheating. Fraud. Criminal Conspiracy, Criminal Breach of Trust and Mischief. To the dismay of the complainant the initial amount of 20 % was collected from the members of the complainant society and no buyers agreement was executed and thereafter the members of the complainant society were made to sign on the dotted line on the Flat Buyer Agreement which were not only one sided but were arbitrary. Even the implementation of the Flat Buyer Agreement was jeopardized by criminal intention to construct the property in a manner which may not be completed within a stipulated period of time but also gives an opportunity to the accused persons to transfer the funds of the members of the complainant society to their other projects The Apartment Buyer Agreement were executed by the accused company with the members of the complainant society. It is stated that the flat buyer's agreement contains a clause which provides that the accused company had sanctioned building plans from the Municipal Corporation of Delhi (MCD) vide letter no 386/A/HQ/2007/237/AE/X dated 22 07 2010 However it is relevant to point out that no such letter of sanction or approval was provided to the flat buyers The buyers/members of the complainant society made visits to the construction site from time to time and found that the construction was carried out at very low pace. They made various complaints regarding the slow and delayed construction. However the officers of the company kept on promising that the possession will be delivered in time In January, 2011 the members of the complainant who booked the flat during the period 2005-2010 have received an intimation from the company M/s Parsvnath Developers Ltd that in order to increase efficiency they have created a Special Purpose Vehicle (SPV) in the name and style of Parsvnath Realcon Pvt. Ltd who would be raising the demands and notices and the payments would be made to them against invoices etc The company M/s Parsvnath Developers Ltd further stated that for the purpose of speeding up the delayed project they have appointed M/s Sycone Projects as the Project Management Consultants and M/s Chawala Techno consultants has also been appointed to complete the delayed construction Even thereafter on visiting the site by the members of the complainant society it was found that the construction of the project was not completed and there were no sign of getting it completed in near future. Thereafter the members of the complainant society revisited the construction site at time and were shocked to see that the construction of the project

was still incomplete and nowhere towards completion and despite various commitments and promises made by the accused company. After making due enquiries it came to the knowledge of the members of the complainant society that the accused companies and its directors have fraudulently constructed more floors in the existing structure and now the numbers of floors in the building where the flat/apartment of the members of the complainant society were allocated has increased from ground plus 8 floor to ground plus 11 floors and more under construction without any knowledge and or consent of the complainant which is not only unethical but also the fraud perpetrated on the members of the society who have booked the flats in the property. The members of the complainant society were shocked to learn that the accused company had fraudulently increased number of floors and raised construction thereof that too without obtaining necessary sanction from the concerned authorities meaning thereby the company had unilaterally changed the plans and layout of the building and the project. The members of the complainant society objected the same and instead of completing the project as per sanctioned plan the company started threatening the flat buyers to cancel the allotment of flats in their favour. The object of the accused persons was to somehow devise a clandestine scheme by virtue of which they may justify the delay in completion of buildings and thus make use of the funds collected unauthorisely without their being any link to the construction plan as stipulated in the Flat Buyer Agreement. Till this date the accused persons have not completed any of the towers on one pretext or the other. The accused persons constructed double basement in the building which is not in accordance with building plan and also constructed building in such a manner that the same got sealed for illegal construction. Even the accused persons have made false representations and booked the flats on the floors which were not there in the sanctioned plans dated 21 07 2010 viz. T5-901 T4-901 T5-PH1, T5-PH2, T4-PH2 and T5-902 Thus the accused persons are guilty of criminal breach of trust having received funds from the members of the complainant society which was not due and was required to be paid as per the stage of construction It is submitted that the accused company have been extracting money from the members of the complainant society and even after expiry of ten years the possession of the flats have not been handed over to them It is submitted that most of the bookings for the flats were on construction linked basis As per the said construction link plan which is provided in the flat buyer agreement the members of the complainant society have to make payment on construction of slabs. However the accused's kept on raising demands and collecting money without following the construction link chart The flat buyers have paid up to 80-90% of the actual cost of the flat Due to the fraudulent acts of the above companies M/s Parsvnath Developers Ltd and Parsvnath Realcon Pvt Ltd and its Directors have caused wrongful loss to the members of the complainant society Not only this even the share in the land in favour of the flat buyers got lesson/shortened by increasing the numbers of floors & units by the accused companies and their directors in the most fraudulent arbitrary and illegal manner. The accused persons have hatched a criminal conspiracy as the huge sums of money collected from the flat buyers have been utilized by the accused company for its financial gains and causing huge losses to the flat buyers. The accused company is guilty of Extortion, Cheating Fraud. Criminal Conspiracy Criminal Breach of Trust and Mischief. Therefore you are requested to register a complaint against the accused persons named above under Section 383 406 409 415, 417, 418, 419, 420 and Section 34/120-B of the IPC and other offences that may come to the light during investigation. Thanking You Enclosures 1. Agreements of members 2.Payment details. Yours Faithfully Sd/- English Paramount Subhash Nagar Residents Welfare Association EF-1/R, Inderpuri, New Delhi-110012. To. The Duty Officer, PS EOW. Mandir Marg, New Delhi. Sir, It is submitted that a preliminary enquiry was conducted into the complaint of Paramount Subhash Nagar Resident Welfare Association (Regd) jointly made by 1) Sh. Sushil Goel, President. 2) Shailender Mongia.3) Ajay Oberai, 4) Narinder Kumar Malik, 5) Radhika Paul, 6) Ravi Gupta. 7) Sushila Kanodia and 8) Surender Kumar Titani enclosing list of its 25 members namely 1) Anil Mahajan/Radhika Gupta 2) Sharad Bhasin 3) Suruchi Oberoi/Ajay Oberoi 4) Suresh Asrani. 5) Spiral Impex Pvt. Ltd. (Manish Monga) 6) Sushil Goyal/Aarti Goyal 7) Geeta Mongia/Shailender Mongia 8) Cantabil Retail India (Anil Bansal) 9) Ninder Kumar Bansal 10) Pareshwar Projects Pvt. I td. (Surender Jitani) 11) Kaushal Luthra 2) Rahul Mohta 13) Narinder Kumar Malik /Amit Malik 14) Navilan Merchans Pvt. Ltd. (Sapna Jain). 15) Ashutosh Jindal 16) Joginder Singh /Rajbir Singh/Inderbir Kaur, 17) Rahul Baid. 18) Ashwani Kumar 19) Radhika Paul 20) Ravi Gupta/Kamaljeet Gupta 21) Sanjeev Chandoyok 22) Sushila Kanodia/Avinash Kanodia. 23) Davender Kumar, 24) Deepa Sahu and 25) Mukesh Ralhan.They have made payment of Rs. 23,75,56,121/- to the promoter of the project for purchase of the flats. During the preliminary enquiry similar complaints of from .1) Swamiji Builders Pvt Ltd, 2) JBB Infrastructures Pvt Ltd and 3) Rajiv Babbar were also received against the same project by the same promoters. From the contents of all the above complaints and preliminary enquiry. prima facie offence u/s 409/418/420/120B 1PC is found to be made out. Hence, a Case u/s 409/418/420/120B IPC he registered and investigation be handed over to the undersigned. Date and time of Occurrence: 2005-2012. Place of Occurrence: Parsvanath Developers Ltd. at 6 th Floor Arunachal Building, 19. Barakhamba Road. New Delhi-01 time of presenting the Rukka : 11:00 AM 06/09/2016.Insp. Madhukar Rakesh D-2961 /PIS No.16900088. Sec-III/EOW/New Delhi. Action taken at police station at this time Insp. Madhukar Rakesh D-2961 /PIS No.16900088. Sec-III/EOW came in the police station and produced the above mentioned complaint for the registration of case. Case has been registered. Copy of FIR and original Rukka is being handing over to Insp. Madhukar Rakesh D-2961 /PIS No.16900088. Sec-III/EOW for further investigation. Copy of FIR will be delivered to concerned officers through DAK. HC /DO

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

(की गयी कार्यवाही: चूँकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं.2.में उल्लेख धारा के तहत है):

- (i) **Registered the case and took up the investigation** (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): **or (या)**
- (ii) **Directed (Name of I.O.)(जांच अधिकारी का नाम):** MADHUKAR **Rank (पद):** I (INSPECTOR)
- No(सं.):** 16900088 **to take up the Investigation** (को जांच आपने पास में लेने के लिए निर्देश दिया गया) **or(या)**
- (iii) **Refused investigation due to(जांच के लिए):** **or (के कारण इंकार किया या)**
- (iv) **Transferred to P.S(name)(थाना):** **District(ज़िला):**
- on point of jurisdiction** (को क्षेत्राधिकार के कारण हस्तांतरित)

F.I.R read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost : (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी) :

R.O.A.C.(आर.ओ.ए.सी.)

14. Signature / Thumb impression of the complainant / informant.

(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

Signature of Officer (थाना प्रभारी के हस्ताक्षर)

Name(नाम): SURAJ PAL SINGH

Rank (पद): HC (HEAD CONSTABLE)

No.(सं.):

15. Date and Time of despatch to the court

(अदालत में प्रेषण की दिनांक और समय):

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.
(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है।)