



MOOT PROPOSITION

KTS TULSI MOCK TRIAL COMPETITION, 2024

SymFiesta 2024

March 15-17

Symbiosis Law School, NOIDA



Contribution: This Proposition is drafted by Mr. R. Arunadhri Iyer, Advocate-On-Record,
Supreme Court of India

Disclaimer: The facts mentioned in the problem are fictitious and only for an academic purpose., and any similarity with any person living or dead is only coincidental.

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News Report dated 13.9.2022 – *Good Sandesh Daily*, Delhi

Housekeeper finds body in bed. Suicide suspected

GSD Correspondent

Delhi—Rani, who works as a housekeeper-cook in four different houses in Saket Heights, the recently opened upscale society in Saket, New Delhi, was in for a rude shock when she reported for work on Monday. Letting herself in with her key as usual, she found nothing out of the ordinary in the fact that her employer, Amrit, was still in bed, when she went in to sweep the bedroom. However, she was in for a rude shock when she switched the light on, to discover the deathly pallor on the mortal remains of her former employer.

She promptly fainted, and was eventually found by the guard, Rakshit, who was alerted by the neighbour who woke to her pre-collapse shriek. The police were called by the guards, and the body was taken away for a post-mortem. Our initial reports indicate it might have been a case of suicide or accidental overdose of sleeping pills.

Speaking to our correspondent, the neighbour, Mr. P. A. Doss, said that Amrit was a sweet chap who mostly kept to himself and hardly ever bothered his neighbours, and it came as a shock to the residents that he would take such a step. “He had a good job and obviously earned a lot. He had a few friends who used to come over every now and then. I’ve even met his parents, and they are really lovely people. It’s always sad when a young person takes their life.”

Rakshit, the guard, told our correspondents that Rahul usually returns home by 8, but had returned around 7 pm itself the previous night looking quite bothered and annoyed. He said that he hadn’t left the building from the front door since then. Rani’s partner politely refused our requests for an interview, indicating that she was still too shook from the discovery and has not been able to get back to work either.

Inquest Report No. PS/Saket/2022/Sep/33

1. District: Saket
2. Police Station: Saket
3. Date and time of receiving information about the death: 5.45 am, 12.09.2022 from PCR
4. Details of witnesses:
 - (i) N. K. Rani, w/o Mr. Sartaj, aged about 27 years, residing at No. 6, JJ Cluster, Opp. Select City Walk, Saket, New Delhi
 - (ii) Rakshit, S/o Mr. Sanjay, aged about 32 years, residing in Guard Quarters, Saket Heights, Saket, New Delhi
5. Details of deceased:

Name: Amrit Markandey
Age: 26 years
Gender: Male
Address: Flat No. 4, Saket Heights, Saket, New Delhi
6. By whom first found dead: Ms. Rani, part-time housekeeper
7. Time and place where body was found: Around 5.35 am in Bedroom of residence of deceased
8. Last person to see deceased alive Rakshit, Guard
9. Time and place where person was last seen alive: Around 7 pm on 11.9.2022 at lobby, Saket Heights
10. Dead body identified by: Rakshit, Guard. Various private and government-issued identities found in wallet kept in trousers slung on chair in bedroom.
11. Marks of identification: Birthmarks above left eyebrow and near right ankle.
12. Height and weight of deceased: 6' 1", 78 kgs.
13. Relatives present at inquest: Ms. Janani and Mr. Janak Markandey, parents of deceased.
14. Spot where dead body was found: Bedroom
15. Status of body when found: Deceased was lying on bed; his body was covered by duvet.

16. Injuries and mark on the body: None.
17. Nature of wounds: N. A.
18. Condition of clothes / ornaments: Deceased was wearing grey/black boxers and turtleneck sweater.
19. Marks of violence or struggle: N. A.
20. Apparent cause of death: Suicide/accidental death by overdose on Zolpidem tartarate (sleeping pills).
21. If any person suspected, who and why: N. A.
22. Present status of body: Handed over to parents of deceased.

Witness 1: N. K. Rani

Name of IO: D. A. Rowga

Witness 2: Rakshit

Rank: SHO, PS Saket

Date: 12.9.2022

Sign of IO: Sd/-

Order dated 12.9.2022 in WP(Crl) 9928/2022

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(Crl) 9928/2022

R. Opie

..... Petitioner

versus

State, NCT of Delhi and Others

..... Respondents

CORAM:

HON'BLE MS. JUSTICE NEETI KUMAR

O R D E R

12.9.2022

[Physical Hearing/Hybrid Hearing]

CM No.56636/2022 [Application seeking interim directions]

1. The matter was mentioned before the Hon'ble the Chief Justice for urgent listing and has been received by this Court upon being marked by the Hon'ble the Chief Justice.

2. Ld. APP for State accepts notice and seeks time to file a Status Report. In view of the urgency in the matter, and in view of the orders that this Court proposes to pass, the same will not be required.

3. Ld. Counsel for Petitioner seeks directions for autopsy of the deceased. He draws the attention of the Court to Annexure P2, the Inquest Report and submits that the deceased never exhibited any indication of suicide ideation. He submits that the deceased has a visible scar on his chin as is apparent from the photographs filed with the Petition, and submits that the Inquest Report appears to have been drawn up in a hurry, and has not even noted this obvious identification mark.

4. He submits that the Petitioner, despite being a romantic partner of the deceased, was not allowed to attend the inquest on grounds that he was not a "relative", and despite repeated requests by Petitioner as well as by mother of the deceased, the IO refused to send the dead body for autopsy.

5. He submits that the circumstances of the deceased's death would warrant an investigation, and the Police have closed the case as one of suicide only on the basis of finding a strip of sleeping pills near the bed.

6. There appears to be some merit in the contention of the Petitioner that the Inquest appears to have been closed in a hurry. This Court is of the view that in the circumstances of the case at least a blood test, if not an autopsy of the deceased ought to have been conducted before closure of the case as one of suicide, if the means of committing suicide is suspected to be ingestion of a fatal dose of any substance. The mortal remains of the deceased is stated to be retained in Nax Hospital, Saket, under the custody of the parents of the deceased. In the circumstances, the present Writ Petition is disposed of with the following directions:

i. An autopsy shall be conducted on the deceased by Medical Superintendent, Nax Hospital, Saket or any competent person nominated by him in this regard. The Petitioner undertakes to bear the costs of the autopsy. Learned Counsel for Respondents No. 2 and 3, the parents of the deceased submits that they have no objection for, and rather support the case of the Petitioner for conducting an autopsy.

ii. The autopsy report shall be furnished to the DCP South, with a copy each to the Petitioner and to the parents of the deceased.

iii. The DCP South shall pass appropriate orders for further investigation, if required, based on the contents of the report. Needless to add, the Petitioner and the parents of the deceased shall have liberty avail of such remedies as may be available in law against any order that the DCP South may pass.

7. Ld. APP undertakes to communicate this order to the DCP South. In view of the urgency in the matter, the MS, Nax Hospital, Saket shall act on a digitally signed copy

of this order. The learned Counsel for the Petitioner as well as the Pairvi Officer of PS Saket undertakes to communicate this order to the MS, Nax Hospital, Saket.

NEETI KUMAR, J.

September 12, 2022

Post Mortem Report

SUMMARY

1. Name of Institution: Nax Healthcare Centre, Saket
2. Name of doctor conducting autopsy: Dr. Tabib Vaidya
3. Date of report: 15.9.2022.
4. Date and time of receipt of cadaver: 12.9.2022 at 1.10 pm. Note: The records indicate that at the request of the parents of the deceased, the ambulance of this Hospital arrived to PS Saket at 12.50 pm when the cadaver was collected, and then brought to this Hospital. The same was received at casualty, and at the request of the parents, who suspected foul-play, the same was retained in casualty pending orders from Court on next steps. At their request, and to aid in ascertaining time of death, the cadaver was stored at room temperature (24°C). The cadaver was eventually brought for autopsy at about 4 pm on 12.9.2022.
5. Date and time of commencement of autopsy: 12.9.2022, 4 pm.
6. Date and time of conclusion of autopsy: 12.9.2022, 6.30 pm.
7. Case history as informed by parents of deceased and PS Saket: Deceased was found at about 5.30 am. Police took custody of cadaver at about 6.15 am when ambulance was brought. Cadaver remained undisturbed from when police arrived on scene. Cadaver was shifted alongwith bedsheet to PS Saket where it remained till 12.50 pm, then was shifted alongwith bedsheet to the ambulance, then to the casualty as recorded above. Parents of deceased inform that deceased was last seen around 7 pm in the evening, and had his last known meal at around 6 pm. Police inform that there were no signs of any meals having been prepared or consumed in the house of the deceased.

CASE PARTICULARS

1. Name of deceased: Mr. Amrit Markandey
2. Age: 26 years Gender: Male Blood Group: O+

3. Deceased identified by: Ms. Janani and Mr. Janak Markandey, parents of deceased.

Observations

4. Height: 185 cms Weight: 78 kgs
5. Special Identification features: Birthmarks: Above left eyebrow, on right shoulder (dorsal), between middle and ring finger of left hand, near right ankle. Healed scars: On chin, left wrist (dorsal), on both thighs (ventral), right shin (ventral). Some partly-healed scars on both thighs (ventral); wounds appear self-inflicted.
6. General observations: Adult male. Well-nourished, well developed, of good weight for his height, and appearing consistent with his stated age. Wearing purple turtleneck fleece sweater, cotton shorts presented with pallor mortis, livor mortis and near total rigor mortis. No putrefaction noticed. The clothes appeared intact, were cut off at the commencement of the autopsy, placed in a clear polythene bag and sealed, and is being handed over to the DCP South's representative alongwith this report.

EXTERNAL EXAMINATION

1. Visible pallor mortis and livor mortis. Livor mortis was cyanotic purple and exclusively along the dorsum. Some shifting of post mortem lividity noticed. This is discussed below. Cyanosis was noticed on the nails. Putrefaction has not yet set in. Cornea appeared slightly clouded. Rigor mortis was noticed all over the body. No cadaveric spasm was noticed. No adipocere formation noticed. Cyanosis noticed on face.
2. Fine petichiae noticed on conjunctiva and eyelid.
3. Some tearing of gingival mucosa noticed.
4. Mild deviation of the nose noticed.
5. Mild eversion of the upper-lip noticed.
6. It is reported that since the cadaver was found by the police, it has remained in a supine state. Some slight pooling is noticed indicating some post mortem movement of the cadaver after onset of onset of livor mortis. However, livor mortis pattern is consistent

with the version given by police and parents. Blanching test indicates post mortem lividity is fixed. Near uniform contact flattening is seen along the dorsum further confirming that cadaver was largely supine post mortem.

INTERNAL EXAMINATION

1. Body temperature was 28°C at the beginning of the autopsy, and had reached room temperature (24°C) by the end of the autopsy.
2. Vacuolation of corpus basale and spinosum noticed. Sebaceous glands appear normal.
3. Dermo-epidermal separation is seen.
4. Full body X-ray shows no fractures.
5. Multiple ligature marks on neck about 2-2.5 mm wide seen during microscopic examination. Same ligature used. Potentially using a smooth cord of nylon or satin. Mild contusion seen. Ligature has perfectly and evenly gone around the neck four times and has thereafter been tightened on the fifth time around. Ligature appears to have been limited specifically to above the thyroid cartilage and appears to have been applied without any opposition. No oedema, lacerations or defensive injuries found. Airway examination disclosed no permanent damage. Thyroid cartilage, hyoid bone, jugular and carotid vessels were intact.

Gross description:

6. Skin: Except for puncture wound, contact flattening, cyanosis and lividity as noted above NAD.
7. Pleura: NAD
8. Peritoneum: NAD
9. Pericardium: NAD
10. Heart: 390 grams. Normal size and shape. Coronary arteries within normal limits. NAD.
11. Aorta: NAD

12. Neck: Laryngeal cartilages, hyoid bone and cervical spine intact. Thyroid within normal limits. Airway free of blood and foreign material. NAD.
13. Lungs: 980 grams. Overinsufflation and congestion noticed.
14. Lymph nodes: NAD
15. Liver: 1530 grams. NAD
16. Gall bladder: Contains bile. No stones. NAD.
17. Spleen: 170 grams. NAD.
18. Pancreas: Usual external configuration and pale tan on cut section with the usual lobular architecture. NAD.
19. Adrenal glands: Within normal limits. NAD.
20. GI Tract: NAD. Partly digested food found in small intestine. See observations below.
21. Kidneys: 320 grams combined. The capsules strip with ease. The cortical surface is smooth. On cross section the cortices are of normal thickness and the pyramids and collecting systems are unremarkable. There are no stones or focal lesions. The ureters are intact. NAD.
22. Bladder: NAD.
23. Genitalia: NAD. Prostate unremarkable.
24. Brain and meninges: 1385 grams. NAD.
25. Skull including teeth: NAD.
26. Pelvis: NAD
27. Ribs: NAD.
28. Vertebrae: Within normal limits
29. Extremities: Some cyanosis noticed on nails. Other than that, NAD.
30. Microscopic examination: Heart, lungs, liver: NAD. Skin: Ligature
31. Other lab procedures: Toxicology, X-ray, microscopic examination.
32. Disposition of Evidence:

Toxicology: Blood, urine, liver, spleen, brain, kidney, heart, lung, vitreous, bile, hair.

Representative of DCP South: Clothing, bedsheet.

SUMMARY OF TOXICOLOGY REPORTS

1. Blood: ~50 ng/ml Zolpidem found.
2. Urine: NAD.
3. Liver: ~84 ng/ml Zolpidem found.
4. Spleen: ~68 ng/ml Zolpidem found.
5. Brain: ~29 ng/ml Zolpidem found.
6. Kidney: ~64.2 ng/ml Zolpidem found.
7. Heart: ~39 ng/ml Zolpidem found.
8. Lung: ~68.7 ng/ml Zolpidem found.
9. Vitreous: NAD.
10. Bile: NAD
11. Hair: NAD

OPINION

12. Nature of death: Unnatural death.
13. Cause of death: Asphyxia.
14. Manner of death: Autopsy did not yield any conclusive confirmation of manner of death.
15. Conclusive findings in autopsy:
 - 15.1. Death is not due to an overdose of any drug that can be traced in blood, urine or tissue.
A broad spectrum panel of typical toxicological agents including standard poisons and heavy metals was run.
 - 15.2. Death is due to asphyxiation/hypoxia. This is apparent from the status of the lungs.
 - 15.3. Deceased has been subject to ante-mortem strangulation.

- 15.4. Estimated time of death: Deceased is stated to have consumed food at around 6 pm on 11.9.2022 and not thereafter. Given the state of digestion of food in the GI tract, it is likely that the time of death was between 11 pm on 11.9.2022 and 4 am on 12.9.2022.
16. Other findings and observations:
- 16.1. Deceased was stated to have been in a well ventilated room at the time of death. So it is unlikely that the cause of death is environmental hypoxia.
- 16.2. Deceased has been the subject of ante-mortem strangulation. However, none of the symptoms typically expected from asphyxiation due to strangulation has been noticed.
- 16.3. It is unlikely that the death is accidental or suicidal, if it is assumed that the scene of death has not been tampered with. To achieve death by asphyxiation for a suicide or accident victim, the victim would typically either resort to strangulation by ligature/hanging or smothering using a plastic bag. However, neither are reported to have been found on or near the cadaver. Further, none of the typical evidence indicating smothering using a plastic bag has been noticed. Lividity suggests that the deceased was supine from time of death, though moved on occasion, negating hanging as a possibility.
- 16.4. A possible manner of death is by smothering using a pillow or some other soft object to obstruct airflow through the nostrils. However, smothering using a pillow etc presents with little to no evidence of the act of smothering. It is possible for some of the medical evidence presented to indicate smothering using a pillow etc, however the same will border on the verge of speculation in the absence of evidence to warrant consideration of the possibility, and has not been embarked upon in the present report.

Sd/-

(DR. TABIB VAIDYA)

15.9.2022

File noting from office of DCP South

1. May please see order dated 12.9.2022 of Hon'ble High Court placed opposite. Please see directions:

“iii. The DCP South shall pass appropriate orders for further investigation, if required, based on the contents of the report. Needless to add, the Petitioner and the parents of the deceased shall have liberty avail of such remedies as may be available in law against any order that the DCP South may pass.”

2. May please see autopsy report dated 15.9.2022 received from Nax Hospital place opposite. Please see opinion at paras. 15 and 16: nature of death is unnatural and is unlikely to be suicide.
3. In view of above, file is being put up for issuing orders in terms of directions of Hon'ble High Court.

Sd/-
ACP (HQ)
15.9.2022

Mark to Anvesh K, ACP-II.

Sd/-
DCP (Saket)
15.9.2022

Panchnama at scene of offence

1. We the witnesses were requested by Mr. Anvesh K, ACP-II to act as witnesses for when his team visited Flat No. 4, Saket Heights, Saket, New Delhi for investigation. We joined as witnesses of our own free will, and have signed the present report, drawn up by the ACP and reviewed by us to be true and correct, of our own free will.
2. At about 10.15 am on 16.9.2022, we, along with:
 - 2.1. Mr. Anvesh and a team of six persons carrying Delhi Police identifications identified as,
 - 2.2. Mr. Alpha and Mr. Beta, photographers,
 - 2.3. Mr. Gamma and Ms. Delta, forensic investigators, and
 - 2.4. Ms. Epsilon, Constable from PS Saket, and
 - 2.5. Ms. Janani and Mr. Janak Markandey, parents of Mr. Amrit Markandey, who stayed at said flat, and
 - 2.6. Mr. R. Opie, friend of Mr. Amrit Markandeyreached the door of the said flat. We met Mr. Zeta, Constable from PS Saket on duty at the door.
3. The door was found sealed using two transverse yellow police tapes from the outside. These were photographed and then cut. The door was unlocked using the keycard and passcode offered by Mr. R. Opie. The passcode was entered and the handle was turned to open the door by the ACP wearing latex gloves. The others remained outside while the ACP, Mr. Alpha and Mr. Beta carrying digital cameras and we entered the house. Without touching or moving anything, photographs were taken of the entire house by Mr. Alpha and Mr. Beta. The ACP and we were with Mr. Alpha and Mr. Beta at every stage for the duration that they were in the house.
4. After they declared that they have photographed everything in the house without moving any items, Mr. Gamma and Ms. Delta started dusting various surfaces in the house for fingerprints, starting from the outside of the door. Photographs were taken by Mr. Alpha

and Mr. Beta whenever any closed item was opened, including of the fridge, closets, boxes, satchelbags etc. At various stages, various items were collected, put in plastic bags or containers, sealed and numbered by Mr. Gamma and Ms. Delta. The details of items collected are set out in the list at the end of this report. At all times, we the witnesses, the ACP, the photographers and the investigators were always in the same room, and no one worked or had their hands out of our line of sight.

5. Ms. Epsilon, Mr. Zeta and the other civilians remained outside the house for the entire duration, and the door was closed and bolted from the inside to ensure no one can enter the house.
6. At about 1 pm, all of us exited the house and the door was locked. Two transverse yellow police tape were put up afresh across the door and Mr. Zeta was stationed outside the door, and the rest of the team broke for lunch for a half hour, with the understanding that Ms. Epsilon will return in 15 minutes from her lunch to relieve Mr. Zeta for his lunch break.
7. At about 1.30 pm, we returned to find both Ms. Epsilon and Mr. Zeta at the door. The tapes for sealing were inspected by us and found untampered, and then were cut, and the process as set out above was resumed.
8. In the systematic manner as described above, each of the five rooms (three bedrooms, study/home office, servant quarter, hall), pantry and kitchen were checked.
9. The investigation concluded at 4 pm and we exited, and the door was locked shut being us. The ACP drew the present report by hand and showed it to both of us. In confirmation of the fact that it is true and accurate, and nothing material is concealed, we have affixed our signatures, and added our name, addresses and contact details by our own hands hereinbelow.
10. Items taken and sealed (total items):
 - 10.1. From the hall:

10.1.1. Photocopy of document titled “Last Will and Testament” containing two pages including 1 page of 100 Rs stamp paper stapled together.

10.2. From study/home office:

10.2.1. A prescription dated 9.9.2022 issued by Dr. M. Raj for Mr. Amrit.

10.3. From the master bedroom:

10.3.1. One strip of Zolpidem tartarate 10 mg with three empty blisters.

10.3.2. Four pillows removed from their pillowcases.

10.3.3. Four pillowcases.

Sd/-
P. A. Doss
Flat no. 5, Saket Heights, Saket

Sd/-
M. U. Hafiz
Head of Security, Guards Quarters, Saket Heights, Saket

First Information Report

(Under section 154 Cr.PC)

1. District:(Il.) P.S: Saket Year 2018 FIR No. 4483/22 Date: 16.9.2022
2. (i) Act(s) Indian Penal Code Sections 302, 34
3. Occurrence of offence: Date from 11/9/2022 at 11 pm Date to: 12/9/2022 at 4 am
 - (a) Information received in P.S.: Date 15.9.2022 Time 9 pm
 - (b) Date of recording FIR: 16.9.2022 Time: 6 pm
 - (c) General Diary Reference: Entry No. ### Time: 9 pm
4. Type of information: WRITTEN
5. Place of occurrence: Flat No. 4, Saket Heights, Saket
 - a. Direction and Distance from P.S: 6 KM, Beat No.
 - b. Address: Flat No. 4 Saket Heights, Saket
 - c. In case, outside the limit of the Police Station
Name of P.S.:
6. Complainant/ Informant:
 - a. Name: Ms. Epsilon
 - b. Father's name: Mr. Upsilon
 - c. Date / Year of Birth: __ Nationality: Indian
 - d. Passport No. Date of Issue: Place of Issue
 - e. Occupation: Constable PS Saket
 - f. Address: No. 22, 4th Lane, Malviya Nagar, New Delhi
7. Details of known/suspected/unknown accused with full particulars (Attach separate sheet if necessary):
 - a. Mr. Janak Markandey, son of late Mr. Mohan Markanda, aged 48 years, 8 months, 3 days, resident of Plot No. 6, Sector 8, Gurugram.

b. Ms. Janaki Markandey, wife of Mr. Janak Markandey, aged about 49 years, 2 months, 16 days, resident of Plot No. 6, Sector 8, Gurugram.

8. Reason for delay in reporting by complainant/informant: Initially case was closed as suicide. Thereafter Hon'ble High Court directed conduct of autopsy by order dated 12.9.2022. Thereafter autopsy was conducted by Nax Hospital on 12.9.2022 and report was received by office of worthy DCP South on 15.9.2022. DCP South assigned case to Shri. Anvesh K., ACP-II on 15.9.2022 and worth ACP immediately conducted forensic investigation of place of occurrence in the morning of 16.9.2022. This FIR was registered immediately upon conclusion of forensic investigation and arrival of informant at PS Saket.

9. Particulars of properties stolen (attach separate sheet, if necessary) : _____

10. Total value of property stolen : _____

11. Inquest Report/U.D. Case No. if any : Inquest Report No. PS/Saket/2022/Sep/33

12. F.I.R. contents (attach separate sheet, if necessary):

To SHO, PS Saket, Delhi

Respected Sir, I accompanied a team of six persons to Flat No. 4, Saket Heights, Saket, house of deceased Mr. Amrit Markandey today under directions of Shri. Anvesh K, ACP-II. Mr. Zeta was present at the door of said flat. Door was locked with number lock and keycard access. Door was sealed by police tape. Suspects and one other person, Shri. R. Opie were present. Two panch witnesses namely one neighbour Mr. P. A. Doss and one head of security, Mr. M. U. Hafiz were requested to remain present. During investigation it was found that deceased had drawn up Will dated 1.9.2022 in name of Mr. R. Opie who was identified as "romantic partner" of deceased. Photocopy of Will is found at premises and was seized. It was found that there were no signs of forced entry into the house from any door or windows. According to security, apart from deceased, five other keycards were issued for the house at deceased's request. Two were with the suspects each, which was willingly surrendered by them to ACP. One was with Mr. R. Opie, which was willingly surrendered by him to ACP. One was with Mr. P. A. Doss for emergencies,

which was willingly surrendered by him. Mr. R. Opie said that the fifth keycard is with the housekeeper who comes daily in the morning to clean the house and cook for the deceased. One master keycard that can open all doors of the building was with Mr. M. U. Hafiz. Access to flat no. 4 was disabled by him in our presence for the said keycard. However, an 8-digit passcode was required in addition to entry to the house. Mr. P. A. Doss and Mr. M. U. Hafiz stated that they were not aware of the pass code. The suspects and Mr. R. Opie admitted to knowing passcode. As per autopsy report received by DCP South, cause of death is unnatural death. Shri. R. Opie stated that relationship between deceased and deceased's parents was strained because deceased is affluent but does not want to give them money. Motive for killing is suspected to be anger over being excluded from Will of deceased. It is suspected that one of the two accused held the deceased down while the other accused smothered deceased with a pillow.

13. Action taken: FIR registered. In terms of order of worthy DCP South, investigation handed over to Shri Anvesh K, ACP-II.

ROAC

14. Signature and thumb impression of complainant/informant: Sd/- LT

15. Signature of officer in charge of PS: Sd/-

16. Date and time of dispatch to Court: 17.9.2020 at 9 am.

Section 161 statements

Statement of Ms. N. K. Rani

I work as housekeeper-cum-cook in four houses of Saket Heights. I daily go to the building at 5.30 am. I always first go to the house of Mr. Amrit. I have been employed by Mr. Amrit since March this year. I do not personally know when Mr. Amrit moved into the house, but I am told he moved in during the month of February this year. I began working in the building from when it was open to general public. My husband was employed as security guard when the building was being constructed and I began working for two of the houses when it opened to general public. I entered the house on 12.9.2022 at 5.30 am as usual and did not find anything unusual. I usually begin by sweeping the master bedroom because Mr. Amrit prefers it swept and swabbed before he wakes up at 6 am. On 12.9.2022, I found him in bed as usual. In night light, I could not see his face, I only saw the outline of him sleeping in bed from the light from the hall. I switched light on to begin working when I noticed that he was very pale in face and realised there was something wrong. I do not exactly remember what happened next but I am told I fainted. I remember being woken up by emergency medical technicians. I was on hall sofa when I was woken up and I don't remember being taken there. I have not gone back to work since 12.9.2022 and at my request, my neighbour, who does work in 2 other houses in the building, has been going for cooking and cleaning in the other three houses temporarily. (Shown photo of deceased's parents) I have never met Ms. Janaki or Mr. Janak. Yes it is possible they may have arrived when I was on a day off. (Shown photo of Mr. R. Opie) I have met Mr. Opie many times. He often sleeps over at Mr. Amrit's house. I do not know the nature of their relationship but Mr. Amrit introduced him as a good friend ("*acche dost*").

Supplementary statement by Ms. N. K. Rani

Mr. Amrit often has many people who sleep over at his house, both men and women. He does not introduce them to me. If the master bedroom door is closed on any day, it means I should not go inside and I do not. On many of these days, I have seen someone in addition to Mr.

Amrit walk out of the master bedroom. Some of them have been women and some of them have been men.

Supplementary statement by Ms. N. K. Rani

I do not know of any reason for any fights between Mr. Amrit and his parents. Mr. Amrit does some job in IT. I do not know how much Mr. Amrit makes at his job. I get up to three days off a month though I usually only take two days off. The days are not fixed, I inform the people whose houses I go to in advance or in the morning.

Statement of Dr. Tabib Vaidya

(Taken on phone call to suit Doctor's schedule. Not audio recorded at Doctor's request)

I am a doctor at Nax Healthcare Centre, Saket. I am the doctor who conducted the autopsy on Mr. Amrit Markandey's cadaver under directions of the MS, Nax Healthcare Centre, Saket. I reiterate my finding that the death was not suicide by overdose of Zolpidem. Cause of death is definitely asphyxia. No it is impossible that death is by strangulation. Strangulation will typically present with more severe symptoms on the face and neck. The ligature marks on the neck have smooth edges and absolutely no signs of deceased struggling against the ligature is seen. No it is impossible that if deceased was under influence of Zolpidem in normal dose for him to have slept through strangulation or smothering.

Supplementary Statement of Dr. Tabib Vaidya

(Taken on phone call to suit Doctor's schedule. Not audio recorded at Doctor's request)

Yes, the ligature marks look consistent with hypoxiphilia and it is possible that the deceased indulged in erotic/autoerotic asphyxiation. It is not possible to estimate when the ligature strangulation occurred except to confirm that it was definitely ante-mortem. Given the physical condition of the deceased, it is unlikely that one person would have been able to kill him by smothering. At least some signs of struggle would have been visible if it had been by only one person. No, I mean a normal person of average weight and height when I say deceased could not

have been killed by only one person. Yes, it is possible that a person who is much stronger and much heavier than the deceased could have killed the deceased by smothering. It is possible that the person under influence of Zolpidem, especially if on an empty stomach, might be under a bit of torpor if woken from a REM cycle, and can be too weak to struggle effectively against a stronger assailant or two or more assailants. Whether this is what happened is not possible to predict from what the autopsy yielded, with any certainty. I do not wish to speculate whether this could have happened because I cannot reach a legitimate medical conclusion.

Statement of Mr. P. A. Doss

I live in Flat No. 5, Saket Heights, Saket. I am effectively Amrit's neighbour because Flats No. 2 and 3 are currently unoccupied. Each flat is on one floor. Amrit was a quiet person who mostly kept to himself. He attended every homeowners' association meeting since he bought the flat in December last year. He usually stays quiet during the meetings but votes on all resolutions that we take involving use of common space etc. He did not participate in any of the festivities that the building had. He requested that I keep a keycard of his in case someone needs access to his house. He told me he will tell me the access code whenever access is needed because he changes it once a month. He offered to tell me the access code every time he changes it, but I told him it will not be necessary. I never had occasion to access his house so far. (Shown photo of deceased's parents) I have met Amrit's parents once when we ran into each other at the foyer. I was introduced to them by Amrit, who was showing them to their car as I was returning from work. (Shown photo of Mr. R. Opie) I have seen Opie on a few occasions in the foyer, but I have not met him. Amrit has told me during an HOA meeting that Opie is his romantic partner. Because we live on different floors, I do not have occasion to see who comes to Amrit's house. I heard a loud and long shriek of a woman from Amrit's house at around 5.40 am on 12.9.2022. I don't remember the time exactly, but my alarm is set for 5.45 am every morning and it was at least a few minutes before my alarm went off. It took me a few minutes to understand what I

heard was probably from Amrit's house. I knew that Rani comes to Amrit's house in the morning at this time. So I called guard room from the intercom near my bed and the guard on duty and I both went to Amrit's house. We could not enter the house initially because neither of us knew the passcode. Then Rakshit, the guard on duty, remembered that Rani's husband is also a guard and that he will be able to call Rani and ask for the passcode. Sartaj called Rani's phone which we could hear ringing inside but there was no response. Sartaj had come to the house by then, and told us that because Rani keeps forgetting the code which changes every month, she messages him the code on WhatsApp whenever it changes. We entered the code and used the keycard I had and entered the house. Yes, I entered the code without wearing gloves. At this time, we did not think there would be a dead body inside. This process took around 4-5 minutes from when I reached Amrit's door. We went inside, saw that the master bedroom door was open and the light on. We found Rani unconscious on the floor and I noticed that Amrit was unusually pale. I stopped Sartaj from going to Rani's aid since I suspected foulplay and did not want to disturb any evidence. I told Rakshit to call the PCR from his phone and ask for police from Saket PS as well as an ambulance. I checked that Rani still had a pulse and was breathing fine, and picked her up and brought her to the hall and put her on the couch. I checked Amrit's neck for a pulse and found none. For checking his pulse, I had to move his turtleneck a bit. By this time, the police had arrived and I let Rakshit handle the police because I was running late for my office. To my knowledge, neither Rakshit, nor Sartaj nor I disturbed anything in Amrit's room from when we entered to when I left the house after police arrived. I do not know when the ambulance arrived. Rani was still unconscious when I left and Sartaj was still with her. I was informed by the on-duty guard as I was leaving that the police had already left. I cannot think of anyone who would have a reason to kill Amrit.

Statement of Mr. Sartaj Urfiat

I work as a guard in Saket Heights, Saket. I normally stay in No. 6, JJ Cluster, Opp. Select City Walk, Saket, New Delhi. I had come to Saket Heights on 12.9.2022 with my wife Ms. N. K. Rani in the morning and was sleeping in the guard quarters because my duty was to begin at 11 am that day. According to my phone records, I received a call from Rakshit, the guard on duty, at 5.47 am asking me to call my wife because there was some problem in one of the houses she was working in. I got worried and called her while going to fourth floor. She did not receive her phone. I met Rakshit and Mr. P. A. Doss at fourth floor, who told me that there is some problem and that Rani is inside and that they don't know the passcode for the door. I remembered Rani usually sends me the code every month on WhatsApp because she does not remember it, so I checked and told them the passcode, which Mr. Doss entered. We went inside and ran to the open bedroom door. I saw Rani on the floor unconscious and got worried but Mr. Doss stopped me from touching her yet. He checked her neck for pulse and told us she is fine and only unconscious. I noticed that Mr. Amrit, who owns the house, was on the bed looking very pale. Mr. Doss told Rakshit to call police then helped me pick up Rani and put on hall sofa. He told me not to try and wake her up and that ambulance will come and they will know how to take care of her so I waited with her. He closed the door to the bedroom and waited with me and Rakshit in hall till police arrived. Then he left and Rakshit and police went into bedroom. I called guardroom from intercom in the hall and told them to immediately send ambulance people with stretcher when they arrived. Ambulance arrived in 1-2 minutes after and they checked Rani and put some container under her nose after which she became conscious. The police took our statements then we left. Rani has not gone for work for nearly a week now, but she is saying she will go from coming Monday. She has been deeply disturbed by the experience, but we do need the money so she has to go to work. (Shown photo of deceased's parents) I have seen Ms. Janaki and Ms. Janak in the past, when they once came to visit Mr. Amrit. They stayed for the night and left in the morning. (Shown photo of Mr. R. Opie) I have

seen this person many times. No I did not ask who he was because he had a keycard. Many residents of the building give keycards to their friends and families. Mr. Amrit has often had houseguests who come to visit him when I'm on night duty. No none of them have had to register for entry to the building. Either they come with Mr. Amrit or he comes downstairs, receives them and takes them upstairs.

Statement of Mr. Rakshit

I work as a guard in Saket Heights, Saket. I stay in the guard quarters. I was on night duty on 11.9.2022 from 6 pm till 6 am on 12.9.2022. I remained at my post through the entire time, and whenever I had to go relieve myself, I notified the relief guard, sat at the post. The relief guard otherwise stays at the guardroom. The relief guard is always the guard who was on duty during the previous shift. Around 7 pm Mr. Amrit, who stays in flat no. 4 came in. He was looking very agitated. I remember he was wearing a white and blue shirt and grey trousers and was carrying a satchelbag slung on his shoulder. He did not seem to hear me when I greeted him. It is not normal for him to not notice when I greet him. He normally stops, says "Hi" and asks how my studies are going whenever we meet. I am studying B. Sc. from IGNOU and it was Mr. Amrit who had encouraged me to study further so he always asks. He is very friendly with all the staff and guard and not just me. I called after him again and he saw me and apologised for not hearing me earlier. He said he there was something running in his mind ("*dimaag me kuch chal raha tha*"), asked about my studies, then took the lift and went upstairs. He normally orders dinner from restaurants nearby but he did not order any dinner that night. I don't know if he cooks normally. I do not remember if there have been evenings when he has not ordered dinner. I do night shift around 3-4 times a month. I was called by Mr. P. A. Doss on intercom in the morning. I do not remember the time but it was after 5 am and before 6 am. I remember it was after 5 am because there is a clock in the foyer that rings every hour. I remember it was before 6 am because my duty ends at 6 am. I went to fourth floor because he said he heard someone shouting in Flat No.

4. Before leaving, I asked the relief guard to come from the guardroom and be at the foyer. I went upstairs to fourth floor. By the time I reached, Mr. Doss was not there, but he reached in a minute or so thereafter. I waited for him because though I had the mastercard, I did not know the passcode for his door. I used the mastercard and tried to open his door but it did not open. Other houses in the building do not have passcode locks. Other houses have locks operated by keys in addition to keycard if they wish to have more security for their house. When Mr. Doss reached, he said he also does not know the passcode either. I remembered that Rani works in Mr. Amrit's house. So I called Rani's husband on my mobile phone. He tried calling Rani, but reached Flat No. 4 saying she is not picking up the call. He said he received the passcode from Rani on WhatsApp and showed it to Mr. Doss, who entered the code and we entered the house. When we entered, I immediately noticed that the master bedroom door was open and light was on and all three of us entered. I saw that Rani was on the floor unconscious and Mr. Amrit was on the bed looking very pale. I did not know Rani was unconscious at the time, but she was lying on the floor unmoving. Sartaj started to run towards Rani but Mr. Doss stopped him. He asked me to call the police from Saket PS and tell them to get an ambulance also. I immediately stepped out of the bedroom and called PCR on 112 and told them the address and asked them to send police and ambulance. When I finished the call, Sartaj and Mr. Doss came outside carrying Rani. They put Rani on the sofa and Mr. Doss told him to not try to wake her up till ambulance arrived. Mr. Doss told me that Mr. Amrit was possibly dead and closed the bedroom door shut and we waited. I called the relief guard through the intercom and told him the situation and asked him to send the police and ambulance people upstairs immediately. The beat police arrived within a few minutes. I knew they were from the beat because I am working as a security guard and we work in close connection with beat police to ensure safety and security of building. When the police arrived, Mr. Doss told them that there is possibly a dead body in the master bedroom and asked for permission to leave as he has to get ready for work. The police took his contact details and particulars and told him to not leave the building without checking

with them. They took a few photos of the bedroom with their phones, particularly of the night table which had a strip of tablets. The ambulance people had arrived and were with Rani, who was sitting up by the time we were done with the bedroom. Meanwhile the PCR van also arrived. They spoke to the beat police and left since the local police were already on the spot. At the instructions of the beat police, the ambulance people came with their stretcher, took Mr. Amrit on the stretcher and left. I gave them contact details of Mr. Amrit's father which we have on record for emergencies. No they did not touch Mr. Amrit. They picked up Mr. Amrit by untucking and taking the bedsheet with Mr. Amrit on it. After the dead body was taken to the ambulance, we all left the house and they put up two criss-cross police tape across the door, took photos of it, and left. Rani, Sartaj and I were told that we may be asked to come for any questioning, and the police took our phone numbers and addresses and details and left. No I do not know of any person who may have reason for killing Mr. Amrit. (Shown photograph of deceased's parents) I have not seen these persons in the building in the past. Yes, it is likely they may have come when I was off duty; there are 16 of us guards and we have rotating shifts. (Shown photograph of Mr. R. Opie) I have seen this person many times. He is not a resident but he has a keycard. Anyone who has to go past the foyer has to use the keycard to unlock the main stairwell or elevator. That's how I know he had a keycard.

Supplementary Statement of Mr. Rakshit

Mr. Amrit has often had houseguests who come to visit him when I'm on night duty. Both men and women come to visit. No none of them have had to register for entry to the building. Either they come with Mr. Amrit or he comes downstairs, receives them and takes them upstairs. Last time I was on night duty when Mr. Amrit had someone stay over was sometime in August. I have no way of knowing what kind of a relationship he has with them.

Statement of Mr. M. U. Hafiz

I am the head of security at Saket Heights, Saket. I am in charge of keycards in the building. The campus of the building has four entrances, one each on the North, East, South and West walls. The East and South entrances are service entrances. None of the entrances have security cameras. This was pursuant to decision taken in October last year in HOA meeting as the homeowners felt that it will affect their privacy. The foyer does not have a security camera because a guard is supposed to be on duty 24x7 at the foyer. I do not know if this rule is followed by the guards at all times. There is no way of verifying if this rule is followed by the guards at all times. The building has a service entrance. It can be accessed by a keycard. During the day, if any serviceperson has to access the service entrance, their particulars are taken, and a one-time keycard is generated at the guard room for them, which will grant them access to the building from the service entrance. The keycard automatically deactivates itself when it is used once. The building can be exited from the service entrance without a keycard. The service entrance has service stairs as well as a service lift. No keycard is needed for using the service lift or service stairs. Any person with a keycard to any house in the building can gain access through the service entrance. The service entrance has no security camera in terms of the decision in the same HOA meeting. There are six fire exits in the building as per fire code. All of them have security cameras based on motion sensor as well as if the door mechanism is tripped. None of the said security cameras were triggered for the entire days of 11.9.2022 and 12.9.2022. No logs are maintained for use of keycards in terms of decision in the same HOA meeting. The keycards are tamperproof and encrypted with 256-bit AES encryption and are ideally not hackable except by state players. No keycards are issued to any person without the owner providing their government issued identity cards' photocopy. As per records, Mr. Amrit had obtained six keycards in the following chronological order: one for himself, one for Mr. P. A. Doss, his upstairs neighbour, one each for his father, Mr. Janak Markandey and his mother, Ms. Janaki Markandey, one for his partner, Mr. R. Opie and one for his housekeeper, Ms. N. K. Rani. The

records only say Mr. R. Opie as “partner”, no other details are mentioned. No service entry cards were issued on 11.9.2022 or till 4 pm on 12.9.2022. Ambulance and police do not require keycards when on emergency business. Guards at the foyer are required to take name and phone number of anyone entering from the foyer who does not have a keycard. The foyer doors open via keycard as well as by pressing a button at the guards’ desk in the foyer. Access to the stairwell and lifts are by keycard as well as by pressing the button at the guards’ desk. Guards are instructed to not let anyone enter the building from the foyer entrance unless they receive approval through intercom from homeowner. There are couches and desks at the foyer for anyone who seeks to wait for a homeowner who is not home when they arrive. I have never met any of the persons for whom keycards were issued for Flat No. 4 except for Rani and Mr. Amrit. (Shown photos of Amrit’s parents and Mr. R. Opie) No I cannot identify any of these persons. I do not actually check the identifications given when making cards. So long as they are physically handed over by the homeowner, it is not our job to look out for them. Logs are maintained every time the master keycard is used at any card reader. The logs indicate that the master keycard was used only once from 18.8.2022 to today: at 5.42 am on 12.9.2022 at the cardreader on Mr. Amrit’s door. Records of use of the master keycard are erased every 30 days. Mr. Amrit had informed me of the fact that he will be installing a numerical lock additionally on his door. No approval is needed from security or HOA for installing the numerical lock. Mr. Amrit did not disclose why he wanted numerical locks. I have never asked him for the keycode and he has never told me the keycode at any time.

Supplementary Statement of Mr. M. U. Hafiz

The doors to the building except the fire exits are each made of solid reinforced steel and each weigh 100 kgs and work using hydraulics. The mechanism for unlocking are not capable of being accessed from outside. The doors are not capable of being forced without any evidence of the same remaining. The records do not indicate any temporary or service keycards having been made for Flat No. 4 after March, 2022, when various keycards were issued when Mr. Amrit

shifted into the house and his furniture etc had to be brought in. I do not know enough details about Mr. Amrit to know of anyone who might have reasons to kill him.

Statement of Mr. Darbaan

I work as a guard in Saket Heights, Saket. I stay in the guard quarters. I was on day duty on 11.9.2022 from 6 am till 6 pm and on relief duty on 11.9.2022 from 6 pm till 6 am on 12.9.2022. I remained at my post during the time I was on relief duty, whenever I was asked to fill in for Rakshit. No one came in from the foyer door during the time I was on relief duty. (Shown photograph of deceased's parents) I have not seen these persons in the building in the past. Yes, it is likely they may have come when I was off duty. There are 16 of us guards. (Shown photograph of Mr. R. Opie) Yes, he comes often to the building and has his own keycard. I think I saw Mr. Opie go upstairs with Mr. Doss a few times in the last few months, but I do not exactly recall. Mr. Amrit has often had houseguests who come to visit him when I'm on night duty. No none of them have had to register for entry to the building. Either they come with Mr. Amrit or he comes downstairs, receives them and takes them upstairs. No I do not know of anyone who would have any reason to kill Mr. Amrit.

Supplementary Statement of Mr. Darbaan

I have seen men and women come visit Mr. Amrit. Last time I was on night duty when Mr. Amrit had someone stay over was last week. I do not know what kind of a relationship he has with them.

Statement of Suspect No. 1, Mr. Janak Markandey

I am the father of the deceased, Amrit. Our relationship with our son is cordial. Yes, we are aware that our son is dating someone of the same gender. No we do not have any objection to the same. Our son came out as pansexual at the age of fourteen and we have always been supportive of him. I realised when he came out that it is important to teach him about sex

education and sex health if he wishes to be comfortable in his orientation and taught him about safe-sex as well. Yes it is possible our son has multiple sexual partners; he does not discuss these things with us since he leads an independent life and we respect his privacy. Our son is in an open relationship with Opie. Opie himself is like a son to us. Opie and Amrit have been friends since first year of college, as far as we know. He did not tell us when he went steady with Opie, but he told us in 2021 that they are steady, but that they are in an open relationship. I work as an assistant professor in a law college in Gurugram. My monthly salary is around Rs. 50,000 including benefits. My spouse is a homemaker who runs a small business on social media selling her paintings. She earned around 20,000 last year from her business. The house we live in was purchased by our son in his name and then transferred in our joint names in March last year. We used to live in rented accommodation. Our son was a bright student even in college and began working as a Chief Security Analyst for a venture capital firm. He used to trade in stocks etc from college itself. Once he began earning a salary, he began investing in greater volumes and earning better returns. I do not understand too well how making a profit in the stock market works so I do not know how he made his money, but I know he always had a strong sense of ethics and always paid his taxes. I do not know his net worth but I know he earned very well. My wife and I are very content with our means and even moved into the new house only at our son's insistence. We refused to let him pay our rent and that's why he bought this house to ensure we did not have to pay rent. We were a loving family and I have no motive for killing my son. I do not know anyone who would be interested in killing him. We last met our son on 11.9.2022 in the morning. He comes over every Sunday to have brunch with us and catch up. He is closer to my wife and actually comes over every Sunday to catch up with her. He did not tell us about any plans for leaving his properties and assets in Opie's name. What our son does with his property is his prerogative. I still have two decades to retirement, and we have enough savings that my wife and I can live comfortably after retirement. My wife and I were saving to eventually buy a house when Amrit bought the house. I offered to give him whatever savings I had for the house,

but he instead made me invest in pension and insurance plans for Janaki and I. Our son is the beneficiary/nominee in all our accounts and investments, and is named in our wills. I do not know how the strangulation marks came on Amrit's neck. My wife and I are heavy sleepers. We go to sleep at 9 pm every night and wake up at 6 am. On the night of 11.9.2022-12.9.2022, we were asleep in our house. We do not have any means of proving where we were that night.

Supplementary Statement of Suspect No. 1, Mr. Janak Markandey

Amrit changes his keycode for his house on the first Sunday of every month. He tells us when he comes for the Sunday visit. He insists that we do not write it down but Janani writes it down in her diary. Amrit does not know that she writes it down. I got a call from Saket PS at 7.10 am when they told me that Amrit has passed and asked me to come to the station. I woke up Janaki and we left. Janaki called Opie when we were driving.

Supplementary Statement of Suspect No. 1, Mr. Janak Markandey

Yes, Amrit and I fought a lot over money because Amrit kept asking us to take money from him, but I refused because he should not be wasting his money on us because we are already well off ourselves.

Supplementary Statement of Suspect No. 1, Mr. Janak Markandey

I asked Janaki to help Opie out because it made no sense for Opie to suffer after Amrit's death, especially given that Amrit obviously wanted Opie to get his money. Opie is the one who gave us our copy of the Will. When the FIR was filed based on the Will, we didn't even know what the Will had said since we have never seen it. But Opie said Amrit had given him a copy and he will give it to us so we can prepare ourselves for the police questioning. I asked him if he knew where the original was and he said he didn't know. I still do not have any reason for suspecting Opie.

Statement of Suspect No. 2, Ms. Janaki Markandey

I am the mother of the deceased, Amrit. Janak and I are on good terms with our son. We used to fight a lot when he was in school and college, but what parent-child didn't? My relationship with my son was strained initially when he told us he was pansexual, though I never revealed it to him. I was disappointed and I was sure that he needed psychiatric counselling. Janak talked me through most of it and it took me a few months to come around. Amrit was mindful of the fact that it will take me a while to accept this reality and he never held it against me that I did not speak properly with him for a few months. He always was a sensitive child.

<Statement recording interrupted as witness was not in a position to continue and was emotionally distraught. Statement recording resumed after 20 mins. The video-audio recording was paused for this duration.>

Yes, I am in a better frame of mind and would like to continue my statement. No I have nothing to hide and would like to make my statement fully. As I was saying, our relationship was strained a bit but Amrit and I became much closer than we ever were after I came to accept and understand him for who he was. Yes, I was aware that our son is dating someone of the same gender. He came out to us at the age of 14. From the ages of 17 to 20, our son had multiple sexual partners, which my husband was not aware of, but Amrit loved discussing with me about. We discussed how he felt, and how intimacy and lack thereof affected him. We never discussed actual sexual acts that he did indulge in—I have limits to how open I want to be as a mother. Amrit met Opie while in college, but they were not from the same college. Amrit met Opie through an online dating app. Janak is not really as close to Amrit as I am, and he is usually busy preparing for lectures or grading papers so could not devote as much time to hanging out with Amrit as I did. I met Opie much before Janak did and I really liked him and still do like him. Amrit told me very early on that he foresees a future with Opie. This might be around 2018; it was the year he graduated. My husband is a law professor and earns around 5-6 lakhs a year. I started painting at Amrit's suggestion and insistence, and earn occasionally when someone buys

my paintings. I would hardly call it a business. Amrit and I used to often discuss about how Janak has to struggle a lot to make ends meet because he is saving up for a house. Amrit once offered Janak to pay rent because he was earning well but Janak refused and insisted that he can handle the finances. So when Amrit bought a house and transferred it to us, he had to threaten Janak with leaving us forever if Janak refused to move into the house. Janak is a bit of a proud man. Janak was very happy Amrit earned so much, but his constitution doesn't permit him to take money from others, even his own son. Janak offered to pay for the house and Amrit took the money, then invested it in our names in insurance etc. Amrit was a very conscientious child. He was interning in the systems security team of an investment broker firm when he became interested in stocks. He dealt in stock, commodities, futures and also did arbitrage in a small scale in college itself and said he was learning how the market works. He was very particular about not involving himself in insider trading. When he began earning after he got his job, he began investing in earnest and earned well. I was always proud of him for being successful without burning himself out. I believe his networth at the beginning of 2022 was around 20 crores. Janak and I are very content with our means. There was no need for us to demand anything from Amrit and he still kept giving us a lot. I have no motive for killing my son. I do not know anyone who would be interested in killing him. We last met Amrit on 11.9.2022 when he came for Sunday brunch as he usually does. Janak was busy grading papers so he went back to it after finishing brunch, while Janak and I were catching up. He told me Opie was going through a financial crisis because a business Opie had invested in had failed. He told me Opie needed some money and that he was planning on helping him out. He said Opie however only wanted him to stand as guarantor and that Opie will borrow money from a bank to tide over his losses and they were having disagreements over this. Opie is a qualified MBA and has been a part of several start-ups in various capacities. He started a business last year importing and exporting protein powder and other nutritional supplements. He is himself a bodybuilder and powerlifter. Amrit is named in our Wills. I do not operate the bank accounts etc so I do not

know if Amrit is nominee in those, but I am sure Janak would have made him or me nominee in all of them. I do not know how the strangulation marks came on Amrit's neck. Janak and I go sleep at 10 pm every night and he wakes up at 6 am while I usually am up by 7 or 8 am. Sometimes Janak sleeps earlier. On the night of 11.9.2022-12.9.2022, we were asleep in our house. We do not have any means of proving where we were that night.

Supplementary Statement of Suspect No. 2, Ms. Janaki Markandey

Amrit last changed his keycode for his house the Sunday before the day he passed away. Amrit told us not to write it down but I told him it will be impossible to remember and write it down in my diary. He knows that I write it down and did not object. I got to know of Amrit's passing when the police called Janak and he woke me up. I called Opie from the car.

Supplementary Statement of Suspect No. 2, Ms. Janaki Markandey

Amrit was not comfortable with standing as Guarantor for the loan because it could affect his credit rating. He was discussing with me how he would be more comfortable if Opie would just take the money instead since the amount is just for a couple of months till further funding comes in. I had told him it would affect Opie's pride and he can perhaps trust Opie to ensure his credit score doesn't get affected because he told me it will get affected only if the loan is not repaid.

IO: What did Opie mean when he messaged you saying "It's is precisely as I told you it will be. I told you, didn't I? Anyway, we'll speak tomorrow"?

Witness: Do I have to answer this?

IO: You have a right to refuse to answer if it will incriminate you. Otherwise, you must. You are welcome to consult an Advocate before you answer it.

No it's ok, I'll answer it. Amrit suspected that though they had gone steady, Opie was having an affair with his business partner, who is otherwise married. He has been suspecting this for a while now. I had told him given their relatively unconventional relationship, maybe he should give Opie a bit more leeway, but that he should have a frank and open conversation with him to make clear what his expectations are of Opie and of their relationship. He had decided he will

talk to Opie this evening. The message was a reference to this. I was reluctant to answer because I am sure this has nothing to do with what happened to Amrit, but it will look like it incriminates Opie. I am still certain Opie had nothing to do with this.

Supplementary Statement of Suspect No. 2, Ms. Janaki Markandey

It is absurd to suggest that Amrit and we fought, especially over money. Amrit and Janak do often have verbal fights, but that was because Amrit was angry that Janak would not take money from Amrit, and Janak was too proud a man, and we were anyway quite comfortably well off.

Supplementary Statement of Suspect No. 2, Ms. Janaki Markandey

I did not want Opie to suffer on account of Amrit's death. It is obvious from the Will that Amrit wanted Opie to get the money. So it made sense for me to help him out. Opie gave us a copy of the Will a few days after the FIR was filed. He gave it to us and told us to show it to our Advocate and get legal advice because FIR has been filed on the basis of the Will. He said he doesn't know where the original is but that Amrit had given him a copy of the Will. I do not know why Opie would deny knowledge of the Will, after all he gave us a copy of the Will.

Statement of Mr. R. Opie

I am the romantic partner of the deceased, Amrit. We know each other from 2016. We met when I had just joined my MBA course. He was in his third year of his engineering degree. We met at a mixer organised by a local dating app start-up, which a classmate was a part of. We became romantically involved shortly after September 2018, though we both made it clear to each other that we will be in an open relationship. Amrit was pansexual. I am homosexual. I obviously had no objection to the open relationship and I have had multiple sexual partners as well. Neither of us have had any other romantic partner since 2018. Even though we are still in an open relationship, neither of us have had any sexual partner since he moved into the new house. We usually disclose to each other when we are with someone else, and he has not told me of any sexual partners since he moved into this house. Around the time we were considering

moving in together, he had brought up whether I have had any sexual partners recently and I had said no. At this time, I also asked him the same and he replied that he had no other sexual partners since he moved into this house; that is how I know. I have not had another sexual partner since the second lockdown, really. Yes, by second lockdown I mean the 2021 lockdown. Amrit has no reason to lie to me, we have always been candid with each other about our sexual partners outside of the relationship. Amrit has a net-worth of around 30 crores, most of which is because of his private equity and futures trading. Amrit was a very insightful person. He took a lot of risks in his futures trading, but he was conservative in his private equity investments. Since my MBA, I have worked in four start-ups in different managerial roles. I currently work in a health and nutritional supplements start-up called Fruitinyoot LLP where I also hold part equity. I joined when it started – October last year. The senior management has opted to not take salary for the past six months. Yes, we are currently going through a cash-flow deficit. I have never asked Amrit for money or funding in any of my jobs or my current place of work, though Amrit has invested in one of the start-ups I had worked in as a short-term investor. He exited that company long before I changed jobs. Yes, Amrit offered to invest to get over the cashflow deficit but I did not want him to. When we had received our seed funding, Amrit had advised me against investing in equity in the Company, though he offered to invest in it if I desired. I had told him back then that he does not need to invest for my sake and that he is welcome to invest after we have POC if he feels it is viable. He felt the business will have difficulties, and he was clearly not wrong. He however still offered to invest, but we have secured in principle agreement for a Series A funding, but that will come only in December. We had secured a short term loan from a bank till then and I had requested Amrit if he can stand in as a guarantor, which he agreed to. We were going to meet the banker on 15.9.2022, so the funds can be released to us on 1.10.2022. I had no incentive or motive to kill or want Amrit dead. I wouldn't have filed a Petition for autopsy if I was the one who killed Amrit would I? I do not know of anyone who would have any reason for killing Amrit. We were discussing moving in with each other since he

moved into this current house. There had been a lot of discussion in the LGBTQ+ community over the past few weeks of plans of approaching Supreme Court for recognising same-sex relationships, that is how our discussion even started. I know Janaki aunty and Janak Sir very well, and have met them multiple times. Amrit was very close to Janaki aunty, and on very good terms with both. They don't have any reason to kill Amrit and I do not suspect them in the least. I do not know who could have killed him. He never told me of any plans of leaving his properties in my name. He is only 26 and I have no idea why he would even want to draw up a Will. On 11.9.2022, I was to meet Amrit for drinks but I was stuck at work. I called him and cancelled, but he offered to meet me at work. We met at the café in the building where my office is. We met for about fifteen minutes around 6 pm, after which he left and said he was going home. I was at work for the entire night and left work around 7 am. We were on a call with a potential investor from the United Kingdom and I was on the call with my colleagues from around 10 pm till 2-2.30 am working out the details. My colleagues can confirm this fact. After the call finished, my colleagues and I remained in office to discuss some aspects of the call. Then I slept in the office—we have a room with a couch for such situations when someone wants to spend the night. I woke up at 7 when Janak Sir called me about Amrit and rushed over. I reached the police station before they did because my office is in Nehru Place. Amrit often likes doing breath control play; it is possible the strangulation marks may have come from that. I have no intention of getting the Will probated. Amrit's assets rightfully now should go to his parents and I do not want any part of it. I have already discussed this with Janaki aunty too. Janak Sir was insisting I should respect his last wishes but I am certain this was not his last wish. Janaki Aunty in fact told me to use the Will and get our short-term funding, which I am not comfortable doing. I anyway cannot do it without the original Will, which nobody knows where it is anyway. They offered to give me the papers to their house as collateral for the short-term loan, which I am considering. Amrit tells me the keycode to his house every time he changes it. He insists that I do not write it down so I make an effort and remember it. It's always an 8 digits long code.

Supplementary Statement of Mr. R. Opie

I have never seen the so called Will of Amrit. I do not know whether it is a forged document. Because my office is in Nehru Place and there is a stamp vending outlet there, Amrit has asked our office's administrative assistant to buy stamp paper for him in the past. I'm sure even the stamp paper for his purchasing his parents' house was bought using my office's administrative assistant. My office's administrative assistant knows Amrit very well and has no need to tell me of it before purchasing a stamp paper, that too for Rs. 100 for Amrit. No he did not tell me about buying the stamp paper for the house. Come to think of it, he actually bought the house before I joined this company, so he couldn't have used my office's help for that. He has no reason to use my office's printer for anything; he has a full home office set-up including a printer. It is possible he might have requested my office to print something for him when he was waiting to meet me some day, I can only speculate I am not aware. I have no benefit from forging the Will because no Court is going to give me a probate for it. I do not know who will have any benefit from forging the Will. I don't know why he would have drawn up the Will. Maybe he had a fight with his parents and did it out of spite.

Supplementary Statement of Mr. R. Opie

It's absurd to suggest that I am having a romantic or sexual relationship with anyone in my office, much less someone married. There is only one married person in my office, my business partner Raqib. He's happily married for 30 years and straight. He has no reason to have an affair with another man. And I have already said that I have not had a sexual partner since mid-2021.

IO: Can you tell me about your meeting with Amrit in the evening of 11.9.2022 and what you discussed?

Witness: Do I have to answer this?

IO: You have a right to refuse to answer if it will incriminate you. Otherwise, you must. You are welcome to consult an Advocate before you answer it.

Witness: If will seem incriminating of someone else, can I still refuse to answer the question?

IO: No. Only if it incriminates you can you refuse to answer. Again, if you want to, you can consult an Advocate before you answer if you want, there is no compulsion.

If what you say is true, I have to answer it anyway. Amrit and his parents have been having fights on and off over the past couple of years. Amrit and his father never had a great relationship. As is typical of most Indian fathers, Janak Sir was a very reserved person who never showed any overt affection to Amrit, which resulted in Amrit being unable to develop any connection with him. Janaki aunty was very close to Amrit, but Janak Sir, not so much. When Amrit started earning regularly, Janak Sir wanted to quit his job and retire, but Amrit was not ok with that. He often told me that he is more than happy to keep Janaki aunty in all the comforts of the world, but that he is not interested in paying a penny out for Janak Sir. They will often have verbal fights when Amrit used to go meet them, to an extent where Amrit stopped talking to Janak Sir—more or less—and only speaks to Janaki aunty when he goes over now. But even that relationship is largely strained because she doesn't talk ill of Janak Sir or let Amrit do so, which Amrit does not like. Amrit has on multiple occasions asked her to just leave Janak Sir and come with him. On 11th, apparently they had another row because Amrit had said he will cut them out of his Will as well. Around 3 pm, I got to know of our call with the UK guys so I told Amrit we'll not be able to meet that evening as planned. Then he called me and told me that he had a tiff with his folks. I understood that he will want to meet so told him if he can make it to my office building, I can take some time out. He reached around 6, but I was in a meeting, so we spoke for a bit on the phone. He started telling me about the fight but I figured he'd be happier doing this face-to-face, so I excused myself and went downstairs. We spoke for 15 minutes when he told me that he told his father that he has cut them out of his Will and that he will be donating everything to charity, and that his father had a blowout. He told me he obviously has not cut them out and that it was just see how his father would react. I had to get back to work so we decided to continue this tomorrow morning over breakfast before he went to work. I did not reveal any of this earlier because I was only limiting my answers to the questions you asked and

this never came up. I am still certain Janaki aunty and Janak Sir had nothing to do with what has happened to Amrit.

Supplementary Statement of Mr. R. Opie

I did not know that Janaki aunty had spoken with the banker for our loan account till after she had already done everything. I am not comfortable with the way it went, but our company is under a lot of strain, and if we manage to pull through to December, we will secure our funding and be able to continue the business. We are using the account only to make payment of our staff salaries, and our expenses. None of the management has been paid yet. I do not know how Janaki aunty got a copy of the Will. I did not have a copy of the Will, then how could I give her; maybe Amrit gave them when he went to visit them.

Supplementary Statement of Mr. R. Opie

It is absurd to suggest that I was required to bring actual equity into the business. The understanding was always that I will only get sweat equity, which I negotiated for and received right at the beginning because I was a subject-matter expert and I knew I was invaluable for the company. I offered to keep my sweat equity in suspension to show to the employees that the Management is serious about the company. I was the only person with sweat equity in the company. We all kept our salaries on hold since March, 2022 because our projections in achieving POC in time to obtain Series A funding within a year required us to stretch the seed funding more than we anticipated. My best guess is that Mr. Raqib is lying to get me kicked out of the company to earn a greater share once Series A funding comes in; I would recommend you question some of the other partners, especially the CFO if you want to know the truth of the matter.

Statement of Mr. P. N. Sachiv

I work as the office-boy in Fruitinyoot LLP, the company where Mr. Opie works. My official title is “Office Executive Assistant”. (Shown a photograph of a group of people including Amrit

and Mr. R. Opie taken in April 2022) This is Mr. R. Opie. I do not know the other persons in this photo. I am the only office-boy since the company started. I often get asked to take cash from the petty-cash and purchase stamp paper for various persons of the office as well as their families and friends. They message me or write down the name of the person in whose name it is to be purchased and I go purchase. I have not met Mr. Amrit, who is Mr. Opie's friend. I do not recall Mr. Opie asking me to buy stamp paper for Rs. 100 in Mr. Amrit's name. I do not remember details of stamp papers I bought in August. Yes, there will be records of any money I take from petty-cash for any reason. On occasions, especially when it is not for office work, the person asking me to get stamp paper give me the cash for buying the stamp paper. There will be no record of it if someone gave me cash and wrote the name of the person buying the stamp paper on a piece of paper and asked me to buy the stamp paper. The office staff had not been paid salary since July this year. They promised every month that they will make payment. They made the payment including back-pay a couple of days back, alongwith salary for October. According to the SMS I received, the money was transferred on 3.10.2022, so four days ago.

Statement of Mrs. Andai Natarajan

(Not audio or video recorded, at witness' request)

I live in plot no. 4, Sector 8, Gurugram. I am the neighbour of Janaki and Janak Markandey. Yes, there have been many instances when I have heard raised voices and loud exchanges between Janak and his son. I know it is his son because I know their son visits every Sunday and they don't usually have any other guests on Sunday because of this. I could not make out what the fights were about, I could only hear the raised voices. I do not remember if they fought on 11.9.2022.

Statement of Mr. R. Sahukaar

I am the Branch Manager of Karzi Bank Limited, Saket Branch. The short term loan for Fruitinyoot LLP was approved on 28.9.2022. The approval was granted when Mr. R. Opie, one of the partners of Fruitinyoot LLP gave a personal guarantee. Mr. Opie was named as a nominee of Mr. Amrit, who had an account with our bank, which had sufficient balance to be collateral. As per records, the nominee was originally Ms. Janaki Markandey, mother of Mr. Amrit. However, a photocopy of a Will of Mr. Amrit was provided to show that Mr. Amrit has bequest his assets to Mr. R. Opie and that Mr. Amrit has passed away. We do not normally accept photocopies of Wills and insist on probates. However, because the Will was personally handed over by the nominee, we took a statement from Ms. Janaki and approved the loan in principle. They still need to provide the probate within two months or the loan account will not be eligible for renewal. We are a relatively new entrant to the business of banking, so we have to give as much leeway as we can to build our business. Because there is 100% protection by way of the account of Mr. Amrit, we were not breaching any RBI guidelines for the lending. We did not approve it as a short-term loan but as a business overdraft account. We were dealing only with Mr. Opie from the company, because he was shown as a partner of the Company and had an authority letter.

Statement of Mr. R. Sahukaar

Originally Mr. R. Opie had been in discussion for getting a letter of guarantee from Mr. Amrit for the loan, but that was not coming through. The device of a Will to get the loan was never discussed till it was given in. I do not remember if Mr. Opie was present when Ms. Janaki Markandey handed in the copy of the Will and statement regarding the bank account of Mr. Amrit.

Statement of Mr. Raqib

I am a partner in Frutinyoot LLP and the COO. Opie was initially brought in as a nutritional and health consultant given that he is himself a bodybuilder and has considerable experience with the product. He, however, wanted to get equity partnership. We suggested that we will offer sweat equity after POC, but he refused and insisted on the sweat equity being given forthwith. After negotiations, it was agreed that he will bring in funding for at least 20% of the equity value in six months. Even this was because he told us that Amrit and he had already gone steady and that Amrit was interested in investing in the Company, but was low on liquidity because he was buying a new house. Amrit is already a bit of a legend in VC circles and we quite knew his capabilities. In fact, our own spirits in the venture was bolstered when we got to know that Amrit was interested in investing. On this understanding, he was on-boarded. However, come March, he wanted an extension of another six months and offered to give his sweat equity up in return. His reason was that Amrit had bought the new house but was still facing some liquidity issues because of some troubles that Amrit's parents were facing. Opie's sweat equity was not forfeit but it was kept in suspension pending his infusion of capital. We had already run into cash-flow troubles because we were expecting Amrit's investment to come in by April, so we all cut our own salaries and even had to pay staff a bit late. Opie had assured he will get us a short term loan to tide us over till the Series A funding came through and he has. Opie was directly coordinating with the bankers, and we had authorised him for this because the whole mess was his anyway. On 11.9.2022, our call with the VC guys from UK went on from 10 pm till 2-2.30 am. Our system logs will confirm this fact, and the entire call was audio and video recorded with consent of all persons participating. No there is no timestamp showing time from and time to which the call went on, but systems logs will show this detail. We had been discussing the call and our financials and projections from around 4 pm that day. We got to know about the call around 2.30 pm Indian time. Opie stepped out for around 10-15 minutes around 6 pm saying he had to meet Amrit about the cash infusion. We discussed the call for around an hour or so after

the call ended. Then I went back home. Opie said he will be sleeping in the office because he was to meet Amrit for breakfast.

Statement of Mr. Raqib

No there is no records of our understanding with Opie regarding him bringing in funding or regarding his sweat equity being kept in suspension because it was an in-principle understanding.

Statement of Mr. Muhasib Munim

I am the CFO of Frutinyoot LLP. It is not correct to state that Opie was given an option for equity of up to 20%. Opie did promise to try and convince Amrit to invest in the Company, and there was an in-principle understanding that he can be admitted to up to 20% equity. However, this was not a matter of compulsion. He told us around March that Amrit is not interested in investing of his own volition and we did not compel Opie. Our seed funding was a bit less than we anticipated and we had to really stretch it out because our first effort at POC failed and we had to start from scratch causing a cash-flow deficit we didn't anticipate. We asked Opie if Amrit would be interested in investing or lending on a short-term; it is quite normal in start-ups to look for informal sources of funds. It is not often normal in start-ups to have PE legends at such easy reach that is why we thought we will try. Our firm even sent Amrit a presentation, but Opie told us Amrit had reservations and we did not want to push. Opie was on a bit of thin ice because he was somewhat responsible for our having to scratch the first POC effort. Opie told us Amrit would be willing to stand as guarantor for a temporary overdraft facility so we let him take the lead with the bank in securing that. We are a start-up and cannot afford to put more than one resource on something as routine as obtaining an additional overdraft facility, so only Opie took the lead on that. Only Opie worked on securing the overdraft; "took the lead on" is just business jargon. We got to know of the call with the UK VC people around start of business hours their time. I was a part of the call. Our call started around 9.55 pm IST and went on till 2 am IST on 12.9.2022. After the call was done, we discussed the further plans for an hour. All of us except

for Opie left the office around 2.30 am. Opie said he will be sleeping in the office because he has to meet Amrit in the morning for breakfast. Amrit's house is around 10-15 minutes from here by road if there's no traffic. I have known Opie since we both did our MBA together. I have also worked with Opie in the past at another start-up in 2019.

Calls and other records proven

Call records of deceased (including OTT calls):

Outgoing call at 3 pm to Mr. R. Opie (20s)

Outgoing call at 6 pm to Mr. R. Opie (1m 35s)

Incoming call at 6.15 pm from Mr. R. Opie (7s)

Outgoing call at 6.20 pm to Mr. R. Opie (did not connect) (CDR shows this call was cut before it was received)

Outgoing call at 7.15 pm to Ms. Janaki Markandey (did not connect) (CDR shows this call was cut before it connected)

Outgoing calls (3) at 8.00, 8.01, 8.03 pm to Mr. R. Opie (did not connect) (CDR shows each of these calls were cut before they connected)

Messages of deceased (OTT messages, no text messages):

2.58 pm – Incoming from Mr. R. Opie – Today looks unlikely. Have call with VC guys tonight.

7.15 pm – Outgoing to Ms. Janani Markandey – It's is precisely as I told you it will be. I told you, didn't I? Anyway, we'll speak tomorrow.

7.40 pm – Incoming from Ms. Janani Markandey – Let's talk once beta. I'm done with dinner. Please let us talk this through?

7.41 pm – Outgoing to Ms. Janani Markandey – Tomorrow please?

7.42 pm – Incoming from Ms. Janani Markandey – Ok fine beta. Don't skip dinner. Love you loads.

Extracts from Final Report under Section 173 Code of Criminal Procedure, 1973

4. Act/Sections: IPC, 302

7. Kind of final report: Chargesheet

10. Particulars of Accused:

Name: R. Opie

11. Brief course of investigation:

On 12.9.2022, call was received from guard of Saket Heights about finding dead body in Flat No. 4. Initially case was suspected to be a suicide case and inquest report also closed it as suicide case. However, Accused filed Writ Petition in Hon'ble High Court seeking directions for conducting autopsy suspecting that case was not suicide. Pursuant to Hon'ble High Court directions, autopsy was conducted by Dr. Tabib Vaidya of Nax Hospital under directions of MS of Nax Hospital. Autopsy report confirmed death is by loss of oxygen. Autopsy report also found signs of strangulation. However, nothing like string, belt, etc. was found in house which fit the marks found during autopsy. Investigation revealed that keycode lock and keycard lock of deceased's house is incapable of being hacked except by State players. Thus, suspects were only persons who had both keycard and keycode. Five persons were confirmed as having keycard, namely the housekeeper, neighbour from floor above, Accused, the two original suspects and the deceased himself. A master keycard was kept at the guardroom. Logs confirm that master keycard was not used to gain entry into deceased's house. Only four of these five persons apart from deceased admit to knowing the keycode. Neighbour Mr. P. A. Doss said he is not aware of keycode. His fingerprint was found on keypad but it was confirmed to be fresh fingerprints. His

explanation for how he entered the keycode has been corroborated and he is not a suspect. Only other fingerprints on the keypad were of the maid and the deceased. Maid has alibi which has been corroborated for the previous night, including multiple unrelated eyewitnesses because maid was participating in an all-night *jagran*. A Will was found where deceased had left everything in the name of Accused. It was initially suspected that the parents of deceased had killed deceased by smothering him in sleep. Motive was believed to be anger over being left out of the Will. Investigations confirmed that it was possible for perpetrators to enter from service entrance using keycard, and gain access to fourth floor by stairs without alerting guards. One parent could have held deceased down and other could have smothered him in his sleep. CCTV camera footage showed a car of similar colour, make and model of accused's parents passing nearby signal around 2 am. It did not return through same signal. There are no records of the vehicle of the parents passing signals near their house in Gurugram, however they can easily take a route that avoids signals with cameras. Suspects willingly offered their phones but records show that both suspects always switch their phones off at night so results were inconclusive. However, CFSL report showed that signature on Will was forged and was created possibly by tracing signature from some other document. CFSL report further confirmed it was not printed from the printer in deceased's house or office or from printer in original suspects' house. This resulted in lack of motive for parents. Witness names and phone numbers on the Will were also found to be fictitious. Further questioning revealed Accused, the romantic and sexual partner of the deceased, was part of a company that was facing financial distress. It appears Accused's company was in need of finances and the Will of deceased has helped the Accused's company get the funding. It is believed that the motive for the killing was the Will being used for getting the loan. The Will was confirmed as being printed from a printer of the same make and model as the one in Accused's office. Although it is a common model and is widely used in offices, because of other contemporaneous evidence, Accused was suspected. There are various discrepancies and inconsistencies found in Accused's statement. A car of the same make and model as Accused's

passed by the signal near deceased's house around 3 am and was captured by CCTV. Same car returned at a much faster pace around 4.12 am through same signal. No CCTV near Accused's office captured Accused leaving building or his car, but Accused could have taken routes that avoided CCTVs and signal cameras. Accused willingly offered his phone and GPS records, which shows his phone did not leave the office. However, it is believed Accused may have left phone behind to create alibi. Accused is a bodybuilder and is 190 cms tall and weighs around 110 kgs. Accused being bodybuilder could easily have held the victim down according to doctor who conducted autopsy. Evidence shows that this was not a case of accidental death, but a clear and planned murder with financial motive. It appears there was some dispute of infidelity between Accused and deceased on both sides as well. It is believed that the same could also be a contributing motive.

Additional instructions

1. Each party can choose a minimum of 3 and a maximum of 4 witnesses for making their case.
2. Both sides must compulsorily array at least one expert witness.
3. Prosecution must compulsorily array Mr. Janak Markandey as a witness. Defence must compulsorily array Mr. Janaki Markandey as a witness.
4. Prosecution is bound to array as witnesses only such persons whose Section 161 statements have been taken as well as CFSL expert.
5. Defence is at liberty to array any witness of their choice, subject to the requirement of no. 1 above.
6. Witnesses will be briefed by the organisers in terms of the facts as is apparent from the above. However, parties are at liberty to brief their witnesses in whichever manner they prefer, to the extent permissible in law vis-à-vis Section 161 statements.
7. If both sides in a round desire to array the same person as witness, then both sides will be given an option to choose whether they want to array the witness as a hostile witness. If both parties choose to examine the witness either as regular witness or as hostile witness, then the character of the witness will be decided by coin toss, with the losing party not getting the witness in the character of their choice.
8. In case of a witness being arrayed as a hostile witness, the side which sets the witness up as a hostile witness will not be given an opportunity to brief the witness. The time that is available for such witness will be shared equally between the remaining witnesses for that party. No additional time will be given for any party for preparation in case a witness is being arrayed as a hostile witness by either party, and parties are expected to prepare for this eventuality in advance.