

People's Education Society's
Adv. Balasaheb Apte College of Law

 **LAW COUNSELLORS**
ADVOCATES & SOLICITORS

PRESENTS

**13th Annual
Adv. B.P. Apte Memorial
National Mock Trial,
Moot Court & Judgment
Writing
Competition 2025.**

**19th -21st
September 2025**

PAPERBOOK

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I. PRELIMINARY

1. Bindia is a sovereign democratic republic. It has the largest population in the world and is the fifth largest economy. It is a member of the United Nations and is a signatory to its various treaties and conventions. It is also a member nation of the Financial Action Task Force (FATF).
2. As a result of international commitment to sternly deal with the menace of money laundering of proceeds of crime having transnational consequences on the financial systems of the countries, the Bindian Parliament enacted the '**The Prevention of Money-Laundering Act, 2002 (15 of 2003)**' (PMLA, 2002).
3. On 1st January 2023, old colonial era criminal laws were repealed and, in their place, The Bindia Nyaya Sanhita, 2023 ('BNS'), The Bindia Nagarik Suraksha Sanhita, 2023 ('BNSS') and The Bindia Sakshya Adhinyam, 2023 ('BSA') became part of the criminal justice system of the country.

II. FACTS

Zumbai, a well-planned city and the industrial capital of Bindia was situated in the state of Maya Pradesh. Zumbai is home to one of the most modern and updated commercial markets in Bindia. The thriving commercial markets in Zumbai has also given a huge boost to the real estate sector in the city.

M Seth with a vision of becoming a hotshot businessman in Zumbai, decided to come to the city to open his own shop. To do so, he was in search of a premises to set up shop. During the search pursuit, he found one Mr. B Kukreja's property advertisements online. B Kukreja was a real estate mogul based out of Zumbai offering commercial spaces on rent basis. As fate would have it, both Kukreja and Seth agreed upon the terms and conditions of the lease agreement, and what once seemed like a dream was turning into reality for Seth.

With the finalized deal of the leased premises, the setting up of 'Seth Electronics' was in full swing. Huge Orders were placed for the latest electronics; the announcements were widely published and finally project 'Seth Electronics' was open for service to all its customers. Seth himself, along with his two employees made sure that each customer to visit the shop left with a promise to come back for more. To celebrate the success that the



first phase of the shop opening had been, Seth decided to reward his customer base with a 'Black Friday Sale' in the month of December 2023. The sale garnered a positive response with as much as 50% discount being offered on products.

Impressed by this attractive offer, one Mr A Patel decided to check out the sale. The attractive offers given by Seth Electronics proved to be a catalyst in Patel's intention of buying the latest o-phones for himself and his wife. He bought 2 pieces of o-phones worth Rs. 2,00,000/- on the spot and was extremely happy to have bagged such an economic deal.

What felt like a deal too good to be true, really turned out to be so. After a month when Patel and his wife faced some issues in the functionality of the O-phones, they approached the official O-phone service centre. They were faced with the horrible reality that the phones sold to them were in fact fake i.e. counterfeit phones. He decided to confront Seth about the same, however, he had absconded. That's when Patel decided to file a complaint against Seth at the nearest Police station. A series of more victims came forward disclosing the big web of cheating Seth had spun.

In February 2024, the Enforcement Directorate ("ED") took a note of this and registered an Enforcement Case Information Report ("ECIR") against Seth. During the course of investigation what unraveled was rather shocking. Based on the witness statements recorded, search conducted, perusal of bank accounts and mobile chats, it came to the notice of ED that the proceeds of crime obtained by Seth via commission of the crime of cheating were also traceable to Kukreja. During the recording of statement on one occasion, at the ED office, he admitted to the same in the presence of the ED Authority thereby attracting arrest u/s 19 of the PMLA, 2002. The ED filed a prosecution complaint ('**Annexure I**') against Kukreja and he is in judicial custody till date. Kukreja applied for bail multiple times before various courts including High Court but to no fruition.

Kukreja firmly denied all the charges framed against him in front of the Special Court. Kukreja denied any involvement in the crime and pleaded not guilty on the grounds of lack of knowledge of any offence. After formation of charge, Counsel for Kukreja moved an application to receive other unrelayed upon documents which were collected by ED during investigation. The application was granted and said documents provided to the defence ('**Annexure II**').



It was Kukreja's case that the manner of arrest was *prima facie* illegal and such that would strike the conscience of the court. Hence, Mr. Kukreja moved the Hon'ble Supreme Court of Bindia under its Writ Jurisdiction challenging the arrest for being illegal as **notice u/s 35 of BNSS was not provided to him** prior to his arrest. The same according to him is a ground for his immediate release from custody. In the said Petition, Mr. Kukreja also challenged the judgement passed by the Supreme Court of Bindia in **Vijay Madanlal Choudhary vs. Union of India (2022 SCC ONLINE SC 929)** for being *per incuriam* and contended that the said judgement did not consider various legal principles, statutory provisions and previous judgements of the Supreme Court.

There were multiple petitions filed against the judgement of the Court in **Vijay Madanlal Choudhary vs. Union of India** asking for its review and referring the matter to a larger bench for reconsideration of issues. Supreme Court of Bindia merged all these petitions including the one filed by Mr. Kukreja and framed the following issues for final hearing:

III. QUESTION OF LAW BEFORE THE SUPREME COURT OF BINDIA:

- 1) **Whether the judgement of Supreme Court of Bindia in Vijay Madanlal Choudhary vs. Union of India be referred to a larger bench for reconsideration on the following issues:**
 - (i) **Re: Interpretation of Section 3 of PMLA.**
 - (ii) **Re: Admissibility of confessional statements recorded u/s 50 of PMLA as evidence.**
 - (iii) **Re: Officers of ED are Police Officers.**
- 2) **Whether notice in compliance with Section 35 of BNSS, is required to be given before arrest in all cases including offences under PMLA, where the offence is punishable upto seven years, wherein the arrest of an accused is necessary?**

**The participants may frame one more additional issue. However, the additional issue can only be pertaining to the subject-matter of the Moot Proposition.*



IV. SAVINGS

1. No application for admission / denial of documents can be moved either by the prosecution or defence.
2. Seals of the Court/Agency are to be presumed genuine and thus cannot be called into question.
3. Pages on which an endorsement of 'Certified Copy' is made are to be considered Certified Copies and their correctness cannot be called into question.
4. Objections of Primary / Secondary nature cannot be raised for the Panchanama.
5. No additional charges can be introduced during the trial.
6. The pending Supreme Court challenge will have no bearing on the trial.
7. No audio-visual record of proceedings as per the provisions of BNSS shall be provided and the same cannot be called for. They are assumed to be complied with.
8. Electronic evidence provided is assumed to be certified u/s 63 BSA.
9. Bank Statements provided as evidence is assumed to be correct and cannot be called into question.
10. Other such instructions which are given at the Orientation Session.

** For the purposes of the competition, laws in Bindia are pari materia to those present in Union of India.*

ANNEXURE I**IN THE COURT OF HON'BLE JUDGE,****ADDITIONAL SESSIONS JUDGE****GREATER ZUMBAI****(DESIGNATED COURT FOR THE PREVENTION OF MONEY LAUNDERING ACT,
2002)****P.M.L.A. SPECIAL CASE NO. 44 OF 2024****ECIR NO: ECIR/ZBZO-II/07/2024****DIRECTORATE OF ENFORCEMENT**

Through,

The Assistant Director,

Zumbai Zonal Office- II,

Zumbai

...Complainant**Versus****B Kukreja****... Accused****INDEX**

Sr. No.	Description of Documents	PAGES	
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3.	List of Witnesses to be examined		
Relied Upon Documents			
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CALENDAR OF EVENTS

Sr. No.	Particular	Date
01.	FIR No. 107/2024 was registered by Kalanagri PS, Zumbai against M. Seth u/s 318 (4) & 349 of BNS 2023.	15.01.2024
02.	Statements of Mr. P David recorded u/s 180 of BNSS.	21.01.2024
03.	Statements of Mr. R Mehta recorded u/s 180 of BNSS.	25.01.2024
04.	Statements of Ms. V Gupta recorded u/s 180 of BNSS.	30.01.2024
05.	Recording of ECIR/ZBZO/07/2024 in the case of M. Seth and others was recorded for initiating PMLA investigation into the suspected offence of Money Laundering under the provisions of PMLA	02.02.2024
06.	Search u/s 17 conducted at the shop of 'Seth Electronics'	03.02.2024
07.	Perusal of Bank Statement of M Seth bearing A/c No. XXX321 in the State Bank of Bindia, Zumbai branch IV.	20.02.2024
08.	Statement of Sh. Natwar Gada recorded u/s 50 of PMLA, 2002.	08.08.2024
09.	Statement of Sh. Patel recorded u/s 50 of PMLA, 2002.	16.08.2024
10.	Statement of Sh. B Kukreja recorded u/s 50 of PMLA, 2002	30.08.2024
11.	Arrest of Sh. B Kukreja u/s 19 of PMLA,2002 (presently under judicial custody)	30.08.2024
12.	Mobile Device bearing Model No. MLPF3HN/A belonging to Sh. B Kukreja impounded	30.08.2024
13.	Date of filing complaint with Hon'ble Special Court, PMLA, Zumbai	28.10.2024

IN THE COURT OF HON'BLE JUDGE,

ADDITIONAL SESSIONS JUDGE

GREATER ZUMBAI

(DESIGNATED COURT FOR THE PREVENTION OF MONEY LAUNDERING ACT,
2002)

P.M.L.A. SPECIAL CASE NO. 44 OF 2024

ECIR NO: ECIR/ZBZO-II/07/2024

DIRECTORATE OF ENFORCEMENT

Through,

The Assistant Director,

Zumbai Zonal Office- II,

Zumbai

...Complainant

Versus

B Kukreja

... Accused

**COMPLAINT FILED UNDER SECTION 44 & 45 OF PREVENTION OF MONEY
LAUNDERING ACT, 2002 FOR COMMISSION OF OFFENCE OF MONEY
LAUNDERING AS DEFINED UNDER SECTION 3, PUNISHABLE UNDER SECTION
4 OF PREVENTION OF MONEY LAUNDERING ACT, 2002.**

MOST RESPECTFULLY SUBMITTED

That the Complainant is the Assistant Director, Directorate of Enforcement, Ministry of Finance, Government of Bindia and this Complaint is being filed under Section 45 r/w Section 44 of the Prevention of Money Laundering Act, 2002 (hereinafter referred to as PMLA,2002) for commission of offence defined under Section 3 of PMLA,2002, against the aforesaid persons/entity. The Complainant is the authorized person for filing this Complaint in view of authorization issued by Government of Bindia, Ministry of Finance, Department of Revenue.

1. FIR No./ Complaint No. or Police Report u/s 193 BNSS/ Nature of Scheduled Offences and place/Court where it is being tried:

- 1.1. Whereas, on the basis of complaint filed by Sh. A Patel, one of the customers of M Seth, the owner of 'Seth Electronics', FIR No. 107/2024 dated 15.01.2024 was registered by Kalanagri PS, Zumbai against M Seth of 'Seth Electronics' u/s 318 (4) & 349 of Bindian Nyaya Sanhita, 2023. (hereinafter referred to as BNS, 2023). It was alleged in the said FIR that the accused therein Mr. M Seth had lured innocent customers via a Sale hosted in his shop wherein he sold counterfeit phones and gained money illegally.
- 1.2. In the course of investigation, the Investigating Officer C P Singh (Inspector No. POMH007, Kalanagari Police Station, Zumbai) had come across individuals who are identically situated as that of the complainant-victim, and accordingly the Investigating Officer has recorded statements, independently, of these individuals implicating the accused, which respectively record their individual grievances and factual matrix supporting thereto.

(Copy of the said FIR 107/24 along with statements of other victims recorded u/s 180 of BNSS is annexed as Exhibit I)

2. Brief Summary of cause of action under Prevention of Money Laundering Act, 2002.

The Complainant submits that the condition precedent to investigate the offence of money laundering by the Complainant/Directorate of Enforcement is that either there should be a FIR or Police Report u/s 193 of BNSS or a complaint in respect of a scheduled offence under the PMLA, 2002 for initiating investigation under PMLA, 2002. The PMLA, 2002 is an Act to prevent money laundering and to provide for confiscation of property derived or obtained directly or indirectly from or involved in any process or activity connected to proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming it as untainted property. Since Section 318 of BNS, 2023 is a Scheduled Offence under Part A Paragraph 1 of the Schedule to PMLA, 2002, accordingly inquiries were initiated under PMLA, 2002 against the accused persons after recording of brief facts of scheduled offence in the ECIR bearing No. ECIR/ZBZO/07/2024 dated 02.02.2024.

(Copy of the said ECIR is annexed as Exhibit II)

3. Brief facts of the Scheduled offence/allegation/charge/amount involved

- 3.1. Based on the reasons to believe duly recorded in writing as mandated u/s 17 of PMLA, 2002, a search was conducted at the shop premises of 'Seth Electronics', of which one Sh. B Kukreja is the owner, wherein a diary was seized. The said diary contained irregular entries and the name of the accused, Sh. B Kukreja and one Sh. Bagha Hathi, employee of said Seth, was seen on a page along with mention of monetary transactions.

(Copy of Seizure Panchanama is annexed as Exhibit III)

(Copy of the said diary is annexed as Exhibit IV)

- 3.2. To ascertain the irregular amounts mentioned in the diary seized, the ED called upon the State Bank of Bindia to furnish the bank account statement of M Seth for the months of December 2023 and January 2024. The same was sent by the entity on 20.02.2024. Some suspicious transactions made to the account of Sh. B Kukreja (A/c No. xxxx567) dated 08/01/2024 where he received Rs.1,00,000/- which is in five times excess of the value decided in the lease agreement and Sh. Bagha Hathi (A/C No. xxxx678) dated 17.12.2023 & 10.01.2024 were observed. It is pertinent to note that another employee of M. Seth, Sh. Natwar Gada (A/C No. xxxx009), received money (which is his salary) from M. Seth however it is minuscule in comparison to what was received by Sh. Bagha.

(Copy of Sh. Seth's bank statements is annexed as Exhibit V)

- 3.3. Customers aggrieved by the said scam were called upon to give a statement u/s 50 of PMLA, 2002. These statements revealed how various innocent and gullible people were duped of their monies by the said fraudster Seth as well as his companions. Multiple persons were affected by the fraud orchestrated by Seth and 'proceeds of crime' involved was in tune of lakhs of rupees.

On enquiry of Sh. Natwar Gada u/s 50, in his statement dated 08.08.2024, it was revealed that the accused, Sh. Kukreja had a significant involvement in the business run by Sh. Seth. It was revealed that although it seemed Sh. Kukreja and Sh. Seth were merely lessor and lessee, they were in fact close friends which was evident from their behaviour. Sh. Kukreja would be present at a lot of deliveries made at the shop. It was revealed that Sh. Kukreja would visit the shop frequently to check the progress of the sale in the shop.

(Copy of the statement u/s 50 of Sh. Natwar Gada is annexed as Exhibit VI)

- 3.4. On enquiry of Sh. A Patel (original complainant in FIR 107/24) in his statement u/s 50 of PMLA dated 16.08.2024, he revealed how he was lured by M.Seth to buy counterfeit mobile phones in the Sale organized by Seth Electronics and also revealed that accused Sh.B Kukreja had also affirmed the quality of the phones and had promoted buying the said counterfeit devices, establishing a clear link and nexus between the said Scam and the accused Sh. B Kukreja.

(Copy of the statement u/s 50 of Sh. A Patel is annexed as Exhibit VII)

- 3.5. On enquiry of Sh. Kukreja u/s 50, in his statement dated 30.08.2024 he admitted that he possessed the knowledge of the business operation ran by Sh. Seth. He stated that he contacted Sh. Seth as he was facing substantial losses in his business and that seeking help from Sh. Seth was the only way out of his financial crisis, hence, he entered into an arrangement whereby Sh. Seth would control the operation from the so-called leased premises owned by Sh. Kukreja and in return he would receive agreed upon payments from time to time in excess of the original lease terms .

(Copy of the statement u/s 50 of Sh. Kukreja dated 30.08.2024 is annexed as Exhibit VIII)

(Copy of the lease agreement is annexed as Exhibit IX)

(Copy of Bank Statements of B. Kukreja is annexed as Exhibit X)

4. Name and address of the accused persons/entities:

Sr.No	Name	Address
1.	Sh. M Seth (<i>absconded</i>)	E-8, Verve, MG Road, Kalanagari, Zumbai - 400063
2.	Sh. B Kukreja	901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai - 400055
3.	Sh. Bagha Hathi (<i>absconded</i>)	420, Padmavati Chaul, Devdutt Rd., Kalanagari, Zumbai - 400033

5. Arrests made in the offence of money laundering:

- a. B Kukreja, the owner of the property from where the illegal operation was run, was found to be indulged in illegal activity of accepting illegal payments from Sh. M Seth.

Thus, he assisted Sh. Seth in his attempt to conceal the proceeds of crime generated out of his illegal activities as settlement towards arrears of rent. Therefore, Sh. B Kukreja was found to be guilty in the offence of money laundering. Accordingly, he was arrested on 30.08.2024 at 21 Hours under the provisions of Section 19 of the PMLA, 2002 following the due process of law.

(Copy of Arrest Memo is annexed as Exhibit XI)

- b. The Directorate of enforcement filed Remand Application on 31.08.2024 before the Hon'ble Session Court, Zumbai for his ED Custody. The Hon'ble Session Court, Zumbai granted ED Custody for 04 days. On 04.09.2024, the accused was again produced before the Session Court and the Ld. Court by its order dated 04.09.2024 remanded the accused to judicial custody. Till the filing of the Prosecution Complaint, the accused arrested in this case is in judicial custody.

6. Searches under PMLA,2002:

- a. During the course of investigation, search and seizure action under Section 17 of the PMLA, 2002 was conducted on 03.02.2024 at the business premises of Sh. Seth viz. the shop located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095 of which the accused is the owner under a reasonable belief that the said premises were used to store proceeds of crime.
- b. During the course of the search operation, incriminating records were recovered and seized:

Sno.	Particulars	Premises
1.	Diary	Shop owned by Sh. Kukreja

7. Details of Proceeds of Crime seized/attached:

- a. A Provisional Attachment Order dated 01.03.2024 is issued whereby assets worth Rs. 10.15 Crore have been provisionally attached. The said properties are related to the prime accused namely Sh. M Seth. Investigation in respect of such accused persons is pending.

8. Brief summary of result of investigation under PMLA, 2002:

- a. The Complainant submits that several evidences were collected as result of action u/s 17, 19 and 50 of PMLA, 2002 to prove that all the conditions as stipulated u/s 3 of PMLA r/w Section 2 (1)(u) of the PMLA are satisfied.
- b. The Complainant submits that u/s. 50 (2) & (3) of PMLA, 2002, the officers of the Directorate are empowered to summon any person, whose attendance is considered necessary to give evidence or to produce any records during any investigation or proceedings under the Act. The proceedings u/s 50 (2) and (3) of PMLA, 2002 shall be deemed to be a judicial proceeding and the statements before the officers of ED are admissible in evidence.
- c. During investigation it was found that Sh. Seth in his attempt to defraud innocent buyers and gain monetary gains, sold counterfeit electronics such as high-end mobile phones etc. Seth also gave monetary benefits from the proceeds of crime of the business operation he illegally ran to Sh. Kukreja in return of a premise for running the operation. Same, was also affirmed by Sh. Natwar during the recording of his statement u/s 50 of PMLA, 2002.
- d. However, when the Original Complainant (A Patel) visited the shop to hold him accountable for cheating, he was nowhere to be found then and ever since has been absconding. This clearly reflects that Seth not only generated Proceeds of Crime (PoC) but is ready to go to any extent to hamper the investigation by utilizing the PoC in absconding so that it remains concealed.

9. Brief summary of evidence to prove that accused and properties are involved in money laundering:

- I. During the course or investigation, data of the following mobile phone of accused person Sh. Kukreja bearing Model No. MLPF3HN/A which was seized during arrest was extracted through registered digital forensic analyst by using cellbrite UFED 4PC (Version 7.62.0.173) (**Copy of Transcript of WeChat Conversations between the accused is annexed as Exhibit XII**)
- II. Upon perusal of extracted data of aforesaid mobile phones, it is revealed that:
 - a. That the seized phone belonged to Kukreja and he used his phone to stay in touch with Seth on his mobile. Kukreja admitted that they were in touch to co-

ordinate the decided upon payments in a manner that no one would suspect the same.

- b. The WeChat conversations between M Seth and B Kukreja clearly reveal their devious plan and their twisted alliance wherein Kukreja would enable Seth to run his scam on his premise and get part of the profits. Hence, Kukreja was directly involved in creation, abetting and concealment of PoC.

- III. Sh. M Seth engaged in illegal activities of cheating innocent buyers with counterfeit goods and making a huge profit on cheap products, by advertising them as genuine. He further went ahead in total disregard to the law of the land to instruct investigation of ED by absconding and not answering to the summons issued to him. Being fully aware of his illegal acts, he engaged Mr Kukreja who would facilitate this crime by providing a means to run the same viz. the shop where Seth ran his operation. The data extracted from the phone & the entries in the diary seized during the search conducted on 03.02.2024 revealed Seth's illegal ties to Kukreja and the role he played.
- IV. From the analysis of the digital data extracted, it is clearly evident that Sh Kukreja knew the nature of illegal amounts received by him from Seth. Kukreja possessed not only the knowledge that the amounts he is receiving are proceeds of crime, but also knew the modus operandi of Seth's illegal operation and was willingly facilitating the same on his property
- V. Kukreja also admitted to the motive of engaging into the act of money laundering. In his statement u/s 50 he stated that he was facing financial difficulties which prompted him to turn to money laundering. He had prior Knowledge of Seth's operations and hence he approached him to agree upon an understanding to share the proceeds of crime. A part of the proceeds of crime as gained by Seth were given to Kukreja for his silence and assistance in the operation of cheating.

10. Specific role of the accused in the commission of offence of money laundering in terms of Section 3 of PMLA, 2002:

Accused knew the modus operandi of Seth and still went along with him in partnership to earn profits. He knew that Seth was running a counterfeit product sale wherein counterfeit phones were being manufactured by him with the aid of his employee Sh.Bagha (as seen from bank details of Seth and Diary seized from the

shop). Accused knew that if provided with a robust business centre, he can aid Seth in running the operation on a large scale. Hence, the accused approached Seth, asked him to make the accused a partner in the crime and share the money (proceeds of crime) received in the business. Being an owner of a property in a prime area like Zumbai where Seth could've lured a large client base, the accused let him set shop in his premises at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095 in return for a share in the partnership. To ensure smooth running of the operation the accused visited the shop regularly. So also, he stayed in constant touch with Seth to ensure that he gets his share of the proceeds of crime.

11. Brief reason for not naming any suspect person as an accused:

- a. The Complainant craves to add that the present complaint is being filed against Sh. B Kukreja. Investigation in the respect of the present accused is complete. Hence, the instant complaint is being filed. However, investigation in this case is still underway in respect of other suspects involved in offence of money laundering. It is to pertinent mention here that the prime accused Sh. M Seth has been absconding, hampering the investigation against him.
- b. The Complainant, therefore, craves leave of this Hon'ble Court to conduct further investigation further investigation and as and when investigation is complete in other aspects, to add name(s) of the suspect person(s)/entity(ies) and to file further/supplementary complaint(s) under Section 45 of the PMLA,2002, against them in due course.

12. Jurisdiction of the Court:

It is submitted that the schedule offence was committed in Zumbai and FIR was registered by Kalanagri Police Station, Zumbai. The Petitioner's office is situated at Unit no. 301, 3rd Floor, Cross House, Tulip Road, Mayanagari, Zumbai. That the offence of money laundering is committed in Zumbai and the cause of action for the offence of Money Laundering arose within the jurisdiction of the Hon'ble Court. The Hon'ble Court is notified as a Special Court u/s 43(1) of the PMLA Act to try the offences Money Laundering.

13. The Complainant craves leave of this Hon'ble Court to rely upon the documents and list of RUDs and witnesses as per Annexure I and Annexure II respectively enclosed with this complaint. Since further investigation is pending, the complainant craves leave of Hon'ble Court to permit to file supplementary complaint.

14. Conclusion:

From the evidence gathered, witness examined and searches conducted it is evident that Sh. B Kukreja was involved in money laundering and was aware and possessed knowledge of the illegal business carried out by Sh. M Seth and his associate Sh. Bagha Hathi. However, instead of reporting the said scam, Sh. Kukreja formulated a plan to earn fortunes with M.Seth and directly received PoC and claimed it to be untainted. The accused, Sh. B Kukreja, assisted the Sh. M Seth in concealment of PoC and thereby committed an offence of money laundering u/s3 of PMLA,2002 and therefore is liable to be prosecuted and punished u/s 4 of PMLA,2002.

15. PRAYER:

In the facts and circumstances stated herein above; it is most humbly prayed that-

- a. The Hon'ble Court may be pleased to take cognizance of the offence of money laundering as defined under section 3 of PMLA, 2002 and punishable under section 4 of PMLA, 2002 against the accused and issue the process and proceed in accordance of law.
- b. To grant any other relief, which this Hon'ble Court deem fit and proper, in the facts and Circumstances of the case.
- c. To pass any other order deemed appropriate in the facts and circumstances of this case.

And for this act of kindness, your complainant, as is duty bound, shall ever pray.

M. Deshmukh
Assistant Director
Directorate of Enforcement
Zumbai.
(Complainant)

Solemnly affirmed at Zumbai,

This 28th day of October 2024.

❖ List of Witness to be examined:

1. M Deshmukh (Assistant Director, ED & PW1)
2. A Patel (Complainant & PW2)
3. Natwar Gada (Employee & PW3)
4. P Kaushik (Panch & PW4)

❖ Relied upon Documents (RUD) - Exhibits I to Exhibits XIII.

FIRST INFORMATION REPORT

(Under Section 173 of The Bindia Nagarik Suraksha Sanhita, 2023)

1. **Dist.:** Kalanagari **P.S:** Kalanagri Police Station, Zumbai **Year:** 2024 **F.I.R. No.:** 107/24
Date: 15/01/2024

2. (i) ***Act** The Bindia Nyaya Sanhita, 2023 ***Sections** 318 (4) & 349

3.(a) ***Occurrence of Offence:** ***Day:** Friday ***Date:** 22/12/2023 ***Time:** Around 12 Noon

(b) ***Information received at P.S** **Date:** 15/01/2024 **Time:** 11:50 AM

(c) **General Diary Reference** **Entry No(s)** 29 **Time:** 12:30PM

4. **Type of information:** Oral.

5. **Place of occurrence:** (a) **Direction and Distance from P.S.....** **Beat No.....**

(b) **Address:** Shop N. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai.

(c) **In case outside the limit of this Police Station, then the name of the P.S.....**

District.....

6. **Complainant/Information:**

(a) **Name:** A Patel

(b) **Father's Name:** P Patel

(c) **Year of Birth:** 1978 (d) **Nationality:** BINDIAN

(e) **Passport No.:** **Date of Issue:** **Place of Issue:**

(f) **Occupation:** General Manager at Asgard Industries Pvt. Ltd.

(g) **Address:** B-4, Silver Beach Apartments, Tolaba (W), Zumbai- 400020.

7. **Details of known/ suspected/unknown/ accused with full particulars**

(a) Mr. M Seth, Owner of Seth Electronics.

8. **Reasons for delay in reporting by the complainant/ Informant –** NIL

9. **Particulars of properties stolen/ involved (Attach separate sheet if necessary):** N/A

10. ***Total value of the properties stolen/ involved:** 2,00,000/-

11. ***Inquest Report/ U.D. Case No., if any: -----**

12. **F.I.R. Contents** (Attach separate sheets, if required):

The Complainant Mr. Patel purchased two O-Phones worth Rs. 2 lakh from Seth Electronics owned by the suspect Mr. M Seth during a black friday sale in December, 2023. A month later, the O-Phone had problems in its functionality and the official service centre, while assessing the problem in the devices, informed the Complainant that both devices were counterfeit and not covered under the company's policy. When the Complainant Mr. Patel visited the shop to

confront the suspect Mr. M. Seth, he found that it was shut. He has alleged that Mr. Seth cheated him by selling counterfeit phones. Hence, F.I.R. u/s 318 (4) & 349 of the Bindia Nyaya Sanhita, 2023 was registered against the suspect.

13. **Action taken:** Since the above report reveals the commission of offence(s) u/s as mentioned at Item No. 2. registered the case and took up the investigation.

CP

Signature of the Officer-
in-charge, Police Station

***Name:** C. Pandey

***Rank:** Inspector No. POMH007

14. **Date & time of dispatch to the Court:**

Received FIR Copy.

Patel

STATEMENT OF THE VICTIMS RECORDED U/S 180 OF BNSS.

NAME: P. David

AGE: 32 Years 7 Months

I am Mr. P. David and am a resident of 45/12 Butter Palace, Eastwood Rd., Audra, Zumbai - 400 099. I am a fitness influencer and content creator. I make my living through daily vlogs, reels and other social media content in the domain of fitness and nutrition. I needed a new phone which would have a great camera which would enable me to record my content on the go. I came across a news pamphlet which showed 'Seth Electronics' located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095 was giving huge discounts on the latest O-phone. Considering it as a good business investment into my content, I visited the said Electronics shop on 24th November 2023.

When I first entered, I was welcomed by one Bagha fellow. When I told him I wanted the latest O-phone he directly took me to his boss Mr. M Seth. Seth treated me like a guest. I was happy with the way they were treating me like a guest in their shop. Seth insisted that considering my needs I should go for latest O-phone and that he would provide me heavy discounts as he had seen my videos as well. I was delighted that he recognized my work, which in hindsight is obviously a lie concocted by Seth to lure me to buy his counterfeit devices. I was enticed and I bought the phone and got heavy discounts. The phone was working fine but I noticed the camera was not at all up to the mark but I ignored the same and went on with my life. I met another of creator friend at a New Year Event in Belhi. He had the latest O-phone as well. I noticed that the camera quality difference between both our phones was astronomical. I tried to call at the number of Seth Electronics but got no response. Hence, on returning to Zumbai in the second week of January, I visited the shop. But to my utter shock the shop was closed and sealed by authorities. I realized that I have been scammed and lodged a FIR against M. Seth immediately.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Date: 21st January, 2024

Sd/- (Mr. P. David)

STATEMENT OF THE VICTIMS RECORDED U/S 180 OF BNSS.

NAME: R. Mehta

AGE 35 Years 2 Months

I am Mr. R. Mehta, residing at 901, Parijat, Gulmohar Rd, Badegao, Zumbai - 400078. I am an entrepreneur running a software company "ExSolutions". My startup had completed 10 Years in December, 2023 and therefore I had decided to gift my first 5 employees the latest O-phone as gesture for their support and commitment. I went to 'Seth Electronics' located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095. It is an electronics shop. I had visited the shop for the purchase of a mobile phone as they were hosting a grand 'Black Friday Sale' offering huge discounts on electronics, especially on smartphones. To avail the same, I had visited the shop on 29th November 2023.

Upon arrival I was greeted by Mr. Seth who showed me the handsets. I was given information that I would receive enormous discounts. At first, I was skeptical but considering the size of the shop and the premium locality as well as my own greed to save money, I caved in to the sweet talks of Mr. Seth. I bought 5 O-phones worth almost Rs. 5,00,000/-. I was elated with this purchase as I had saved a huge amount of money. Little did I know that not less than 3 weeks later the phones would stop working. At first it seemed like a coincident but later when one of my employees said that his phone was rejected by the official O-Store for being a counterfeit, realization of the scam that had occurred with me settled in. I rushed to my nearest police station and lodged an FIR against the said M. Seth.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Date: 25th January, 2024

Sd/-

Mr. R. Mehta

STATEMENT OF THE VICTIMS RECORDED U/S 180 OF BNSS.**NAME:** V. Gupta**AGE:** 28 Years 8 Months

I am Ms. V. Gupta, residing at B-4, Star Community, RM Marg, Zumbai - 400133. I am an HR consultant in a Multi-National Company (MNC). I got married in December 2022. On occasion of our marriage anniversary in Dec.2023, I decided to gift my husband the latest O-phone. I went to 'Seth Electronics' located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095. It is an electronics shop. I had visited the shop for the purchase of a mobile phone as they were hosting a grand 'Black Friday Sale' offering huge discounts on electronics, especially on smartphones. To avail the same, I had visited the shop on 25th December 2023.

Mr. Seth, the owner of the shop was a cheery man. He showed me variety of O-phones. I was amazed by the in-hand quality and the discounts. I was happy that I could afford to gift my husband an O-phone. I chose a medium range O-phone costing about Rs.80,000/- which I was able to get for a discounted price at Rs.60,000/-. I bought the phone. It worked fine for a while. After few weeks, my husband started complaining about the screen and software. We visited the repair shop but they refused to accept the phone calling it a counterfeit. We visited Seth Electronics but were informed by locals that Mr. Seth was absconding and that the shop was under investigation. We lodged an FIR against the scammer Seth in our local police station.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Date:30th January, 2024**Sd/-****Ms. V. Gupta****(COMPLAINANT/VICTIM)**



BILL

INVOICE NR	1234/56789
DATE:	22/12/2023
DUE DATE:	22/12/2023

BILL TO:

APatel
B-4, Silver Beach Apartments,
Tolaba(W), Zumbai-400020.

PAYABLE TO:

Seth Electronics
Shop No.2, Beejay
Complex, Dr. Gaur
Road, Kalanagari,
Zumbai-400095.

NO.	DESCRIPTION	QTY	PRICE	TOTAL
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1.	OPhone13MODELNO.MLPFH NK547&MPLHGK785	2	1,10,000	2,20,000
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SUB TOTAL :	2,20,000
DISCOUNT :	60,000
TAXES (GST):	39,600
TOTAL AMOUNT:	1,99,600

BANK NAME: State Bank of Bindia

ACCOUNT: XXXX321

MSETH

THANK YOU FOR YOUR PURCHASE

ENFORCEMENT CASE INFORMATION REPORT (ECIR)**ECIR NO. 07/ZBZO/2024****YEAR: 2024 ZONE: Western****Date 02/02/2024****ECIR/ZBZO/07/2024****Zumbai Zone - II****Nature of the Scheduled offences:**

(i) Scheduled Act (s)	(ii) Section of the Act (s)	(iii) Agency Investigating offence
Part - A, Paragraph - 1, (Offences under Bindia Nyaya Sanhita, 2023)	Section 318 (4) of the BNS, 2023	Police Station - Kalanagri, Zumbai
Part - A, Paragraph - 1, (Offences under Bindia Nyaya Sanhita, 2023)	Section 349 of the BNS, 2023	Police Station - Kalanagri, Zumbai

3. Source from which information/material received	1. FIR No. <u>107/24</u> , P.S. Kalanagri, Distt: Zumbai, dated 15.01.2024, lodged on the complaint of Sh. A Patel, r/o B-4, Silver Beach Apartments, Tolaba (W), Zumbai-400020.
4. Places of occurrence of scheduled offence	Kalanagri, Zumbai
5. Names and addresses of person(s)/suspected persons with full particulars:	1. Mr. M Seth - Owner, Seth Electronics, r/o E-8, Verve, MG Road, Kalanagri, Zumbai - 400063
6. Details of property suspected to be proceeds of crime:	Not specified

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

Brief facts of the case:

(i) Police Station Kalanagri, Zumbai received a complaint for the commission of offence under section 318 (4) and 349 of the BNS, 2023. Accordingly, FIR No. 107/24 was registered by Kalanagri Police Station, dated 15.01.2024.

(ii) It is alleged in the FIR No. 107/24 registered by Kalangari Police Station, dated 15.01.2024 that during the year 2023, more specifically in the month of December the accused- owner of Seth Electronics lured the complainant and other such customers by a Black Friday sale offering huge discounts on electronics.

(iii) It is further alleged by the complainant that he bought the latest O - Phones worth Rs. 2,00,000 for himself and his wife. However, a month later, both the O-Phones had problems in their functionality and the official service centre, while assessing the problem in the devices, informed him that the devices were counterfeit and not covered under its policy.

(iv) It is further alleged by the complainant that when he visited the shop to confront the owner, Mr. M. Seth, he found the shop shut. It is alleged that Seth Electronics cheated him by selling counterfeit phones.

(v) It is further alleged that in a similar way other persons from Zumbai had also been cheated by the above shop and are therefore, victims of cheating in tune of lakhs of rupees.

(vi) The allegations levelled in the complaint are cheating and selling goods marked with a counterfeit property mark. Commission of offence under Section 318 (4) & 349 of BNS, 2023 are Scheduled Offence as per Part A of Paragraph 1 of the Schedule of the PMLA, 2002.

(vii) Thus, it appears from the Complaint that the victims were lured by the owner into buying counterfeit products under the pretext of grand sale with huge discounts and thereby cheating the people to the tune of lakhs of rupees.

(viii) Therefore, it appears that the abovementioned accused person is involved in the offence of money laundering as defined u/s 3 of PMLA,2002 and the proceeds of crime may have been invested in movable/immovable assets.

(ix) On the basis of aforesaid FIR, prima facie case of Money Laundering as defined under section 3 of PMLA, 2002, which is punishable under Section 4 of the said Act is recorded for further proceedings under the Act.

(x) A case is therefore registered and is taken up for investigation under the provisions of the PMLA, 2002 and the Rules framed there-under.

Zumbai,
Date: 02.02.24

Sd/-
ASSISTANT DIRECTOR
(M Deshmukh)

ECIR/ZBZO/07/2024Date: 03.02.2024**Search and Seizure Panchanama**

Panchanama drawn on 03.02.2024 at the shop, having address Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095, during the search and seizure proceedings u/s 17 of the Prevention of Money Laundering Act, 2002, in the presence of the undersigned Panchas/ Witnesses.

Panchas:

1. Name: P. Kaushik

Occupation: Bakery Owner; Age: 33 Years

Address: A/4, Lakeside Heights, Dr. Gaur Road, Kalanagari, Zumbai.

2. Name: N. Singh

Occupation: Barber; Age: 79

Address: 18, Vasant Galaxy, Harabaug Road, Kalanagari, Zumbai.

On being called upon by a person who introduced himself with the help of his identity card as M Deshmukh, Assistant Director, Directorate of Enforcement, Zumbai Zonal Office – II, we, the above named Panchas, presented ourselves outside the shop of M. Seth having address at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095. The above said officer then introduced us to the two officers accompanying him viz. C. Mehendale, Assistant Enforcement Officer, ZBZO-II and N. Menon, Assistant Enforcement Officer, ZBZO-II and along with them two CRPF Personnel were also present. The Officer then explained to us that he has been authorised to search the above-mentioned premises and our presence is required to witness the search

proceedings for which we, both the Panchas, voluntarily agreed to present ourselves as the Panchas for the said proceedings.

The said officer then showed us a warrant of Authorization No. 11/2024 dated 03.02.2024 issued by Sh. A Khan, Deputy Director, Directorate of Enforcement, Zumbai Zonal Office – II under the provisions of Sub Section (1) and Sub Section (1A) of Section 17 of the Prevention of Money Laundering Act, 2002 authorising the above said officer i.e. Shri M Deshmukh, Assistant Director to search the above said premises. We, the Panchas, put our dated signature on the said Authorisation, as a token of having seen and perused the same.

Thereafter, we, the Panchas and the Officers proceeded to enter the above said premises at 11.00 am. The gate of the said premises was closed. The CRPF Personnel broke open the gate and we entered the shop. Upon entering the premises, we observed that the shop is a rectangular room measuring approximately 32 feet by 25 feet. It has a single shutter entrance opening towards the main road. There is a single wooden door at the back which leads to a small office-cum-storage room. In the presence of us, the Panchas, the search proceedings u/s 17 of the Prevention of Money Laundering Act, 2002 commenced at 11:15 am.

During the course of the search proceedings, the officers thoroughly searched the entire premises in an orderly manner searching all the shelves, drawers etc. Then, the Officers moved towards the office room and requested us to accompany them inside. The office is a compact room measuring around 12 feet by 8 feet. It has a wooden desk with a plastic chair placed near the wall. A closed wooden cupboard stands in the right corner of the room. The Officers proceeded to conduct a thorough search of the room in our presence.

During the search of the cupboard, a small black diary was found in a hidden compartment behind a false panel in the lower shelf of the cupboard. The compartment was concealed by a detachable wooden plank which blended with the cupboard's inner lining. The diary was briefly examined by M. Deshmukh in our presence. Upon inspection, the diary was found to contain handwritten noting of vague figures, names and transactions across several pages, with certain sheets found to be torn or removed. Scattered references to the name "B. Kukreja" and other such names appeared on multiple pages, some alongside numerical entries. Notably, one section of the diary mentioned a 'Grand Sale', with detailed handwritten notes regarding provisions, inventory, and planning with repeated mention of mobile phones. M Deshmukh then placed the diary in a brown paper envelope and sealed it, labelled it and affixed his signature on the envelope. Subsequently, both of us, the other officers placed our signatures on it. Except for the above article nothing else was seized by the Officers in our presence.

We, the Panchas, were present during the entire course of the search proceedings. The above said Panchanama has been read over to us and we certify that the same is recorded correctly as witnessed by us and we have put our signatures at the foot in affirmation thereof. The Panchanama was concluded peacefully at the above said premises at 12:30 pm.

Panchas

1. Sd/- (P. Kaushik)
2. Sd/- (N. Singh)

Sd/-
 Authorised Officer
 M. Deshmukh
 Assistant Director
 Directorate of Enforcement

18

352-013

Monday

December 2023

Wk - 51

Appointments

BLACK FRIDAY GRAND SALEImportant PaymentsB. Kukreja (Urgent)

Total to be paid - ₹2,50,000/-

13th Dec' 2023 ₹20,000

Balance Amount - ₹1,50,000/- paid (bank transfer)

Bagha

Mobile Phone

Manufacturing Cost for Dec - ₹40,000/-

17th Dec' 2023 - ₹30,000/-

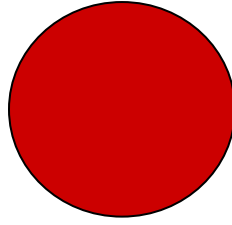
Remaining to be paid in Cash (bank transfer)

Inventory Costs - ₹41,000/-

(remaining)

STATE BANK OF BINDIA				
Account Holder Details				
Name: M. Seth				
Customer Id: xxxxx785				
Registered Mobile Number: xxxxxxxxxxxx				
Account Type: SAVINGS ACCOUNT				
Branch: Zumbai IV				

Statements of Account No. xxxx321 for the period (From 1/12/2023 to 31/1/2024)				
Transaction date	Particulars	Credit	Debit	Running balance
12/12/2023	A/C No. xxxx321 to A/C No. xxxx567		20,000	4,25,000
17/12/2023	A/C No. xxxx321 to A/C No. xxxx009		5,000	4,20,000
17/12/2023	A/C No. xxxx321 to A/C No. xxxx678		30,000	3,90,000
21/12/2023	A/C No. xxxx321 to A/C No. xxxx555		52,000	3,38,000
08/01/2024	A/C No. xxxx321 to A/C No. xxxx567		1,00,000	2,38,000
09/01/2024	Cash Withdrawal Self		45,000	1,93,000
10/01/2024	Cash Withdrawal Self		48,000	145,000
10/01/2024	Cash Withdrawal Self		42,000	103,000
10/01/2024	A/C No. xxxx321 to A/C No. xxxx678		10,000	93,000
11/01/2024	Cash Withdrawal Self		49,000	44,000



**Directorate of Enforcement
Ministry of Finance
Government of Bindia**

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/11/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, **M Deshmukh**, AD am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of **SHRI NATWAR GADA** necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said **SHRI NATWAR GADA** to appear before me at my office on **08 / 08 / 2024** at **11: 30 am** along-with the documents as per schedule attached.

SCHEDULE

GIVEN UNDER MY HAND AND SEAL, THIS 2nd DAY OF AUGUST TWO THOUSAND TWENTY-FOUR

Sd/-
M Deshmukh
Assistant Director
AD/ZBZOII

To,
SHRI NATWAR GADA
B-402, Raghunath Towers,
Shantivilas Lane,
Kalanagari,
Zumbai - 400055

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of Section 229 and 267 of the Indian Nyaya Sanhita, 2023.
2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

STATEMENT OF PW 3

NAME: Natwar Gada.

AGE: 55 Years and 9 months.

I am Natwar Gada, residing at B-402, Raghunath Towers, Shantivilas Lane, Kalanagari, Zumbai - 400055. I have known Sethji ever since I started working at Seth Electronics. The shop has been taken on rent from one Kukreja Sir. From the limited contact I had with Kukreja Sir, I think he is quite rich as he owns several other properties in Zumbai, which also he rents to other people like Sethji. Sethji had a cordial relationship with Kukreja Sir. In my first meeting, I couldn't tell they were just lessor - lessee. They would talk and joke just like a couple of friends would, with their internal jokes which I never understood.

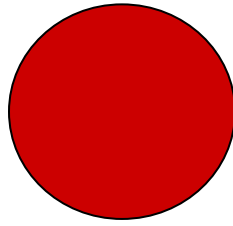
Kukreja Sir cared a lot about his properties; it was evident from the fact that he used to visit the shop quite often. Not only that, but also, he was a kind person. His visits were not limited to business. He would also check up on Sethji and would ask him if he needed any help. On one such visit, I had tried several times to approach Kukreja Sir in hope for a better job as he knew many such businessmen in the city. Sadly, he told me to approach some other time and dismissed me. Kukreja Sir was quite involved in the functioning of the shop. I remember Sir being there during consignment deliveries, there to help Sethji. Kukreja Sir was as excited as Sethji for the black friday sale. Kukreja Sir had also come to congratulate Sethji on the success of the Sale. They both were elated and I overheard that they were making loud declarations to the staff of celebrating. By this time, if any on-looker saw them, they would mistake them for business partners. Once, in hopes of becoming a businessman myself one day, I even asked Sethji how he found Kukreja Sir and the property and how he got the business running up from the ground. He just said that they had a special relationship with mutual benefits for both of them and laughed.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Sd/-

Mr Natwar Gada

Date: 8th August, 2024



**Directorate of Enforcement
Ministry of Finance
Government of India**

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/11/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, **M Deshmukh**, AD am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of **SHRI A. Patel** necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said **SHRI A. Patel** to appear before me at my office on **16 / 08 / 2024** at **11: 30 am**.

SCHEDULE

GIVEN UNDER MY HAND AND SEAL, THIS **9th** DAY OF **AUGUST** TWO THOUSAND **TWENTY-FOUR**

Sd/-
M Deshmukh
Assistant Director
AD/ZBZOII

To,
A. Patel
B-4, Silver Beach Apartments,
Tolaba (W),
Zumbai- 400020

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of section 229 and 267 of the Indian Penal Code, 1860.
2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

STATEMENT OF THE COMPLAINANT U/S 50 OF PMLA, 2002.

NAME: A. Patel.

AGE: 45 Years and 8 Months.

I am Mr. A. Patel, Residing at B-4, Silver Beach Apartments, Tolaba (W), Zumbai- 400020. I am an engineer working at Asgard Industries Pvt.Ltd, as a General Manager. One day I came across an advertisement for 'Black Friday Sale' at a shop called 'Seth Electronics'. When I went, I saw that it is electronics shop that deals with the sale of mobiles, laptops, televisions, microwaves, and other electronic appliances. I wanted an O-Phone so I asked for a sample piece and also inquired a little about the discount under the said scheme. The Sale was almost too good to be true so I repeatedly asked the salesman about the quality of the phones. When I was having a chat with Mr. Seth about the quality of mobile phones, a person sitting next to him also affirmed the quality of the phones to be good. I thought he too was a customer, like me. *(A photo of Mr. Kukreja was shown to the Complainant by the Assistant Director, he recognised him to be the person sitting next to Seth).*

When both assured me of the quality of the mobile phones, I decided to purchase them. The discounted price of the 2 phones was Rs. 2,00,000/- . I paid the money and left the shop. After a month or so, we experienced some problems with the phone's functionality. So, I visited the nearest authorized service centre of O-Phone. The technician, after examining both the phones, informed us that, both the devices were not covered under O-phone's policy as they were counterfeit products and not the original product. We showed them the purchase bill, even fought with them, but they insisted that the phones were fake. This left us in utter shock. We were taken aback by the dishonest sale and marched to Seth Electronics. Like any other criminal, he had absconded and the shop was shut. That's when we decided to lodge a complaint. So, I went to the nearest police station immediately and registered a FIR against M Seth.

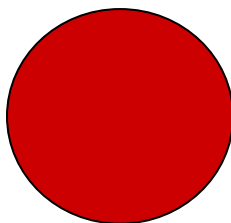
I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Sd/-

Date:16th August, 2024

Mr. A. Patel.

(COMPLAINANT)



**Directorate of Enforcement
Ministry of Finance
Government of Bindia**

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/07/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, M. Deshmukh, Assistant Director, am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of Mr. B Kukreja necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said Mr. B Kukreja to appear before me at my office on **30th August, 2024 at 12 noon** along-with the documents as per schedule attached.

SCHEDULE**(As, per Annexure-'A' enclosed)**

GIVEN UNDER MY HAND AND SEAL, THIS 21st DAY OF AUGUST TWO THOUSAND TWENTY-FOUR

Sd/-
M. Deshmukh
Assistant Director
AD/ZBZOII

To,
B. Kukreja
901, Kapoor Towers,
Devgan Lane,
Kalanagari, Zumbai - 400055.

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of section 229 and 267 of the Indian Nyaya Sanhita, 2023.

2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

ANNEXURE-A to the Summons to be issued to Mr. B. Kukreja

Please provide the following documents at the time of your appearance before ED;

1. Details of all the bank accounts held by you and your wife from the year 2023 onwards alongwith statement of accounts (in soft copy as well).
2. Details of all the immovable and movable properties held by you and wife.
3. Any other relevant information/document you want to submit in this case.

STATEMENT OF DW (II)

NAME: B. Kukreja

AGE: 50 Years and 7 months

I am B. Kukreja, residing at 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai - 400055. I am the owner of the shop located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095.

It has been leased to Mr. M. Seth, since mid-2023. I knew that Mr Seth is a very clever business man who would take all means necessary to make a profit and a partnership with him is just what I need to cover my losses. Hence, we came to an understanding wherein I would let him use the premises to conduct his business and he, in return for the same, would transfer a share of the profits. I was aware about the exact business he was involved in and went along with it as I needed the money. We had made a separate deal wherein I would receive more than the lease amount and in turn I would let him use my premises in ways he deemed fit. I was aware about his shady tactics but turned a blind eye.

My textile business, which has brought a fortune to my family for decades, started running into losses. The deal with Mr. Seth seemed like an easy way to make quick money. Being a smart man, I had faith that he would carry the business discretely and wouldn't land us in trouble.

We decided that he would pay me in instalments, small or big however possible.

It seemed like a good business; hence, I went along with it. I was in desperate need of money and had to find a way to sustain my family business. Everything was going smoothly until he ran away. I was aware that the money which he was sending me was obtained by shady means but I accepted it anyway.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Sd/-
B Kukreja

DATE - 30th August, 2024

LEASE AGREEMENT

THIS **LEASE DEED** is made and executed at Zumbai on this 30th day of June, 2023.

BETWEEN

Mr. B. Kukreja, an adult, Bindian inhabitant, residing at 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai - 400055, hereinafter referred to as the “**Lessor**” (which expression shall, unless repugnant to the context or meaning thereof, be deemed to include his heirs, legal representatives, administrators, and assigns) **OF THE ONE PART;**

AND

Mr. M. Seth, an adult, Bindian inhabitant, residing at E-8, Verve, MG Road, Kalanagari, Zumbai - 400063 hereinafter referred to as the “**Lessee**” (which expression shall, unless repugnant to the context or meaning thereof, be deemed to include his heirs, legal representatives, administrators, and permitted assigns) **OF THE OTHER PART.**

WHEREAS:

1. The Lessor is the sole, lawful, and absolute owner in possession of a commercial premises more particularly described in the **Schedule** annexed hereto;
2. The Lessee has approached the Lessor for taking the said premises on lease for a commercial purpose, namely for operating his business under the name and style of “**Seth Electronics**”;
3. The Lessor has agreed to lease, and the Lessee has agreed to take on lease, the said premises for a period of **three (3) years**, subject to the terms and conditions appearing hereinafter.

NOW THIS DEED WITNESSETH AND IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. DEMISED PREMISES

The Lessor hereby demises unto the Lessee the commercial premises being **Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095**, situated within the jurisdiction of Zumbai Municipal Corporation, in the State of Maya Pradesh (hereinafter referred to as the “**Demised Premises**”), together with all appurtenances, rights, and easements attached thereto, for the purpose of conducting an electronics business in the name and style of “**Seth Electronics**.”

2. LEASE TERM

The lease shall be for a fixed term of **Three (3) years**, commencing from **1st July 2023** and ending on **30th June 2026**, unless terminated earlier in accordance with the terms of this Agreement.

3. RENT

3.1. The Lessee shall pay to the Lessor a monthly rent of **Rs. 20,000/- (Rupees Twenty Thousand only)**, payable in advance **on or before the 10th day of each calendar month**.

3.2. All payments shall be made via bank transfer, cheque or any other mutually agreed mode.

3.3. In the event of delay in payment beyond **15 days** from the due date, the Lessor shall be permitted to exercise his right of re-entry and evict the Lessee with a notice of 24 hours.

4. SECURITY DEPOSIT

4.1. The Lessee has paid to the Lessor, simultaneously with the execution of this Lease Deed, a sum of **Rs. 40,000/- (Rupees Forty Thousand only)** as interest-free **security deposit**, the receipt of which the Lessor hereby acknowledges.

4.2. The said deposit shall be refunded to the Lessee upon the expiry or earlier termination of the lease, subject to deduction of any arrears of rent, damage to the premises (normal wear and tear excepted), or breach of terms by the Lessee.

5. USE OF PREMISES

5.1. The Lessee shall use the Demised Premises solely for the purpose of operating commercial electronics shop under the name “**Seth Electronics.**”

5.2. The Lessee shall not use the premises for any unlawful, hazardous, residential, or immoral purpose, nor shall any activities be carried out therein which are in contravention of any municipal or governmental rules and regulations, including but not limited to the Zumbai Municipal Corporation Act and the Maya Pradesh Shops and Establishments Act, 2017.

6. MAINTENANCE AND REPAIRS

6.1. The Lessee shall, during the lease term, at his own cost, maintain the interior of the Demised Premises in good and tenantable condition and carry out minor day-to-day repairs.

6.2. Structural repairs, if required, shall be carried out by the Lessor, unless caused due to negligence or misuse by the Lessee.

6.3. The Lessee shall not make any structural alterations, additions, or demolitions in the Demised Premises without the prior written consent of the Lessor.

7. TAXES, CHARGES AND OUTGOINGS

7.1. The property tax, cess, and other levies imposed by the local authority on the land and building shall be borne by the Lessor.

7.2. The electricity charges, water charges, shop license fees, and other consumable utility charges pertaining to the Demised Premises during the lease term shall be paid by the Lessee directly to the respective authorities.

7.3. In case of any penalty or surcharge levied on account of delayed payment of such utilities due to the fault of the Lessee, the same shall be borne by the Lessee.

8. SUBLETTING AND TRANSFER

The Lessee shall not assign, sublet, underlet, or part with possession of the Demised Premises or any part thereof to any third party without the prior written consent of the Lessor. Any breach of this clause shall be deemed a material breach and entitle the Lessor to terminate the lease.

9. COMPLIANCE WITH LAWS

The Lessee shall comply with all applicable laws, rules, and regulations in relation to the use and occupation of the Demised Premises, including but not limited to the Transfer of Property Act, 1882, Maya Pradesh Rent Control Act, 1999, and all relevant municipal building by-laws.

10. TERMINATION AND HANDOVER OF POSSESSION

10.1. This lease shall stand terminated automatically upon the expiry of the lease term unless renewed in writing by mutual consent.

10.2. Either party may terminate this Agreement by giving three (3) months' prior written notice.

10.3. Upon termination or expiry, the Lessee shall peacefully vacate and hand over vacant possession of the Demised Premises to the Lessor without any obstruction, along with all keys and fittings.

10.4. Any damage (normal wear and tear excepted) shall be assessed jointly, and cost of repairs, if any, may be deducted from the security deposit.

10.5. Failure to pay rent for two consecutive months shall entitle the Lessor to terminate this Agreement forthwith, by giving written notice, and to seek possession of the Demised Premises in accordance with law.

11. INDEMNITY

The Lessee agrees to indemnify and keep the Lessor indemnified against all losses, claims, or damages arising due to any breach of this Agreement or violation of applicable laws by the Lessee during the lease period.

12. DISPUTE RESOLUTION AND JURISDICTION

12.1. All disputes arising under or in connection with this Agreement shall be settled amicably. Failing such settlement, the courts at Zumbai, Maya Pradesh, shall have exclusive jurisdiction over all matters arising out of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement on the day, month and year first written above.

SIGNED AND DELIVERED BY:

Mr. B. Kukreja

LESSOR

Sd/-

Mr. M. Seth

LESSEE

Sd/-

In the presence of witnesses:

1. C. Joshi (Sd/-)
2. V. Patil (Sd/-)

SCHEDULE OF PROPERTY

All that piece and parcel of commercial premises being **Shop No. 2**, forming part of the site commonly known as **Beejay Complex**, on land bearing **C.T.S. No. 1258/2**, situated at **Dr. Gaur Road, Kalanagari, Zumbai - 400095**, within the limits of the Zumbai Municipal Corporation, Town Kalanagari, in the State of Maya Pradesh, Country of Bindia.

STATE BANK OF BINDIA

Account Holder Details

Name: B. KUKREJA

Customer Id: xxxxx124

Registered Mobile Number: xxxxxxxxxxxx

Account Type: SAVINGS ACCOUNT

Branch: Zumbai IV

Statements of Account No. xxxx567 for the period (From 1/7/2023 to 31/1/2024)

Transaction Date	Particulars	Debit	Credit	Running Balance
12/07/2023	A/C No. xxxx495 to A/C No. xxxx567		50,000	1,40,000
15/07/2023	A/C No. xxxx321 to A/C No. xxxx567		60,000	200,000
29/07/2023	A/C No. xxxx567 to A/C No. xxxx414	10,000		1,90,000
05/08/2023	A/C No. xxxx567 to A/C No. xxxx420	35,000		1,55,000
12/08/2023	A/C No. xxxx321 to A/C No. xxxx567		15,000	1,70,000
16/08/2023	A/C No. xxxx567 to A/C No. xxxx312	35,000		1,35,000
20/09/2023	A/C No. xxxx321 to A/C No. xxxx567		10,000	1,45,000

07/10/2023	A/C No. xxxx750 to A/C No. xxxx567		65,000	2,10,000
18/10/2023	A/C No. xxxx321 to A/C No. xxxx567		50,000	2,60,000
27/10/2023	A/C No. xxxx567 to A/C No. xxxx312	40,000		2,20,000
03/11/2023	A/C No. xxxx567 to A/C No. xxxx772	20,000		2,00,000
29/11/2023	A/C No. xxxx405 to A/C No. xxxx567		10,000	2,10,000
12/12/2023	A/C No. xxxx321 to A/C No. xxxx567		20,000	2,30,000
25/12/2023	Cash Withdrawal Self	10,000		2,20,000
07/01/2024	A/C No. xxxx567 to A/C No. xxxx772	40,000		1,80,000
08/01/2024	A/C No. xxxx321 to A/C No. xxxx567		1,00,000	2,80,000
15/01/2024	A/C No. xxxx004 to A/C No. xxxx567		15,000	2,95,000
22/01/2024	Cash Withdrawal Self	5,000		2,90,000
25/01/2024	A/C No. xxxx567 to A/C No. xxxx772	90,000		2,00,000

ECIR No. ECIR/ZBZO/07/2024

ARREST MEMO

1. **Name of the person arrested** : Mr B. Kukreja
(With father's name) S/o K. Kukreja
2. **Sex** : Male
3. **Age (Approx.)** : 50 years
4. **Residential Address** : 901, Kapoor Towers, Devgan Lane,
Kalanagari, Zumbai - 400055.
5. **Name of relative/friend** : Sakshi (wife)
whom the person taken in
custody intends to inform
6. **Date, Time and Place of Arrest** : 30/08/2024 at 9:00 p.m. at Zumbai
7. **Case reference with section of law** : ECIR/ZBZO/07/2024 Section 3 & 4 of PMLA
8. **Name and Rank of the officer making arrest** : M Deshmukh, Assistant Director
9. **Allegations** : Involved in offence of money laundering as
defined under section 3 of PMLA, 2002

Certified that the person arrested had been informed of this right to have someone informed of his arrest or detention.

B Kukreja
Signature of Arrestee

MDeshmukh
Assistant Director

Witness:

Raj Mody 30.8.24

Abdul Sheeb 30.08.2024

Directorate of Enforcement
Ministry of Finance
Government of India

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

File No. ECIR/ZBZO/07/2024

Date: 30.08.2024

Personal Search Memo (under 49 BNSS)

Reference: ECIR/ZBZO/07/2024

1. Date and time of person searched: On 30.08.2024 at 21 hours
2. Place of Person Searched: Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai
3. Name and address of the Person Searched: Mr. B Kukreja
R/o 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai - 400055.
4. Description of Articles found and seized during personal search: Mobile Phone
5. Name of witness present at the time of personal search:
 - i. Raj Mody
 - ii. Abdul Shoaib
6. Name and designation of the officer conducting personal search:

M Deshmukh, Assistant Director

MDeshmukh

B Kukreja

Raj Mody 30.8.24

Abdul Shoaib 30.08.2024

MEMO OF SEIZED ARTICLES

Details of seized mobile phone as following:

Model Name	M-Phone 13
Colour	Black
Model No.	MLPF3HN/A
Serial No.	M424KTCNF6
Phone Numbers	9000000009
IMEI No.	352561339909041
Seizure Dates	30/08/2024

The said article mentioned in the above memo was seized during personal search as per Section 49 of BNSS and receipt of the same is provided to the arrested person.

M Deshmukh, Assistant Director

MDeshmukh

B Kukreja

ARREST ORDER

Whereas, I M Deshmukh Assistant Director, Zumbai Zonal Office Unit no. 301, 3rd Floor, Cross House, Tulip Road, Mayanagari, Zumbai have reasons to believe that B. Kukreja aged about 50 years, resident of 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai – 40005 has been guilty of an offence punishable under the provisions of the Prevention of Money-laundering Act, 2002.

Now, therefore, in exercise of the powers conferred on me under sub-section (1) of section 19 of the Prevention of Money-laundering Act, 2002, I hereby arrest the said B. Kukreja aged about 50 years, resident of 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai – 40005 at 9:00 p.m on 30.08.2024 in the presence of two officers, Mr. G Iqbal, Assistant Enforcement Officer and Mr. I Fernandes, Assistant Enforcement Officer. He has been informed of the grounds of such arrest.

Dated at on this 30th day of August Two thousand Twenty-Four

B Kukreja

M. Deshmukh
Arresting Officer

GROUND OF ARREST

You. Sh. B Kukreja, are hereby informed that during ingoing investigation under PMLA, 2002 by Directorate of Enforcement, various documents including statements of various persons recorded u/s50 of PMLA, 2002 and other incriminating evidences were taken on record, wherein it is revealed that:

1. That one Mr. M Seth, owner of Seth Electronics, has duped various people by selling counterfeit mobile phones worth lakhs of rupees. The said Mr. Seth was running this operation on premises owned by you which you had leased to him.
2. That many monetary transactions between you and Mr. Seth are seen via bank statements. Transactions dated 12.12.2023 & 08.01.2024 directly point towards a nexus between you and Mr. Seth wherein you have accepted “proceeds of crime” and have since then claimed it to be untainted monies.

3. That statement of Mr. Patel dated 16.08.2024 u/s 50 of PMLA, 2002 categorically shows your involvement in the said fraud and that you possessed knowledge of the exact scam that your lessee Mr. M Seth was running.
4. That statement of Mr. Natwar Gada dated 08.08.2024 u/s 50 of PMLA, 2002 categorically establishes the fact that you were involved in the said scam and were an accomplice of M Seth.
5. That WeChat messages between you and Mr. Seth reveal that you possessed knowledge of the crime, yet, accepted the tainted monies without hesitation and in fact it appears that you promoted Mr. Seth's commission of said crimes for your own financial benefits.
6. That your own statement dated 30.08.2024 u/s 50 of PMLA, 2002 reveals that you had knowledge that the monies received by you were "proceeds of crime", however, you still accepted it and claimed them to be untainted monies.
7. The above scam perpetrated by you and Mr. M Seth has caused grievance to innocent consumers to the tune of lakhs of rupees. Thus, there is need of your custodial investigation as you are in possession of crucial information required to recover the remaining proceeds of crime and to attach and restore the same to innocent victims who were duped.
8. In view of the facts mentioned above and by way of evidence collected in ongoing investigation, it is established that you Mr. B Kukreja along with Mr. M Seth and others have indulged in the offence of money laundering as defined u/s 3 & 4 of PMLA, 2002. Hence, based on the material in my possession and considering the seriousness and gravitas of matter under consideration, it is essential to arrest you Mr. B Kukreja u/s 19 (1) of PMLA, 2002.
9. Hence, it is imperative in the interest of investigation to comply with the provisions of Sec 19 of PMLA, 2002 and put you under arrest.

M. Deshmukh
Arresting Officer

B Kukreja

WECHAT MESSAGES BETWEEN B. KUKREJA AND M. SETH

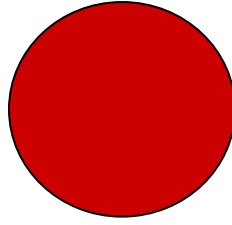
DATE- 16.12.2023

KUKREJA-	Hello Seth ji, payment for this month is still pending, it's been a while now. Are your secret plans not working?
SETH-	Apologies sir, the sales have been low in the past few months at Seth Electronics. As you know, to fuel our profit-generating secret, we are currently having a 'GRAND BLACK FRIDAY SALE'
KUKREJA-	Please be more creative to lure customers so that it doesn't hamper my payment. I am just interested in my payment nothing else, get it by hook or by crook. I hope this grand sale of yours is actually grand so that I receive my payment.
SETH-	It will be grand sir, don't you worry. It will be raining profits which you and I both will share. The sale will be a mega success for both of us.
KUKREJA-	Let your 'Black Friday' sale bring me my white money,
SETH-	Great humor sir.... 'WHITE' money.... hahaha...you will definitely receive your share of profits. Thank you for giving me an extension, I won't disappoint you. 🙏
KUKREJA-	Surely, looking forward to my payments!

WECHAT MESSAGES BETWEEN B. KUKREJA AND M. SETH

DATE- 08.01.2024

KUKREJA-	Payment received 👍, the grand sale went extra grand I suppose. I don't need to know what you sell as long as I get what is mine.
SETH-	Haha, What a great man. No questions, only payments!
KUKREJA-	Your 'smart' advertisements seemed to have fueled your smartphone sales. Customers were ready to buy them like hot cakes.
SETH-	What can I say, it is not only the phone which is 'smart' , Sir. Honestly, wouldn't have been possible without your support Sir.
KUKREJA-	Agreed! I like the way you operate, you get to do your business and I get my money.
SETH-	Surely Sir, working with a man like you makes it so much easier! 🙏



Directorate of Enforcement
Ministry of Finance
Government of Bindia

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/09/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, **M Deshmukh**, AD am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of **SHRI NATWAR GADA** necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said **SHRI NATWAR GADA** to appear before me at my office on **12 / 02 / 2024** at **11: 30 am** along-with the documents as per schedule attached.

SCHEDULE**(As, per Annexure-'A' enclosed)**

GIVEN UNDER MY HAND AND SEAL, THIS 5th DAY OF **FEBRUARY** TWO THOUSAND **TWENTY-FOUR**

Sd/-
M Deshmukh
Assistant Director
AD/ZBZOII

To,
SHRI NATWAR GADA
B-402, Raghunath Towers,
Shantivilas Lane,
Kalanagari,
Zumbai - 400055

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of Section 229 and 267 of the Indian Nyaya Sanhita, 2023.
2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

ANNEXURE-A to the Summons to be issued to SHRI NATWAR GADA

Please provide the following documents at the time of your appearance before ED;

1. Details of all the bank accounts held by you from the year 2021 onwards alongwith statement of accounts (in soft copy as well).
2. Any other relevant information/document you want to submit in this case.

STATEMENT OF PW 3

NAME: Natwar Gada

AGE: 55 Years and 3 months

I am Natwar Gada, residing at B-402, Raghunath Towers, Shantivilas Lane, Kalanagari, Zumbai - 400055. I have been an employee at Seth Electronics for quite a while now. I saw a job offer online for the post of salesman in a new shop opening in the area. I approached the owner of the shop Sethji, showing my interest and subsequently landed the job. Since, then I have been under the employment of Sethji. Sethji is very approachable and treats everyone like family. Seth Electronics is located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095. Kukreja Sir was the owner of the premises on which the shop stood. Apart from the fact that Sethji did not have any property of his own to run the shop, the business was quite successful. I was not the only employee working there, along with me there was another employee named 'Bagha'.

Almost every week new consignments would arrive with the latest electronics. We were never allowed to interact with the dealers during delivery of goods, but Sethji always made sure to receive the agents and settle their accounts promptly. We would just help in carrying the boxes and arranging the godown. I vaguely remember Sethji carried a diary in which he used to note something after every delivery.

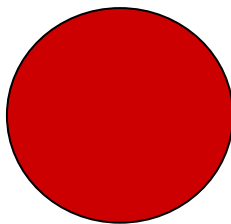
To boost up the sales, Sethji came up with an idea and accordingly we offered the grand Black Friday Sale discounts in the month of December. This sale garnered a lot of customers and there was heavy workload during this season. Later on, unfortunately, my younger brother back at the village sustained some major injuries in an accident. Hence, I immediately rushed to my village Udhaigao to look after both of them. The last time I talked to Sethji was when I informed him of these events and asked for a leave. I was caught up in hospital visits and looking after my father and did not follow up with Sethji or Bagha about business. I do not know anything about Seth's whereabouts as of today. I only came to know about the controversy when my wife Daya informed me of the summons that was sent to my house and hence I returned to answer the summons.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Sd/-

Date: 12th February, 2024

Mr Natwar Gada



**Directorate of Enforcement
Ministry of Finance
Government of Bindia**

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/09/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, **M Deshmukh**, AD am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of **SHRI A. Patel** necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said **SHRI A. Patel** to appear before me at my office on **12 / 02 / 2024** at **11: 30 am** along-with the documents as per schedule attached.

SCHEDULE

(As, per Annexure-'A' enclosed)

GIVEN UNDER MY HAND AND SEAL, THIS **5th** DAY OF **FEBRUARY** TWO THOUSAND **TWENTY-FOUR**

Sd/-
M Deshmukh
Assistant Director
AD/ZBZOII

To,
A. Patel
B-4, Silver Beach Apartments,
Tolaba (W),
Zumbai- 400020

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of section 229 and 267 of the Indian Nyaya Sanhita, 2023.
2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

ANNEXURE-A to the Summons to be issued to SHRI A. Patel

Please provide the following documents at the time of your appearance before ED;

1. Details of all the bank accounts held by you, from the year 2023 onwards alongwith statement of accounts (in soft copy as well).
2. Any other relevant information/document you want to submit in this case.

STATEMENT OF THE COMPLAINANT U/S 50 OF PMLA,2002.

NAME: A. Patel.

AGE: 45 Years and 2 Months.

I am Mr. A P Patel, residing at B-4, Silver Beach Apartments, Tolaba (W), Zumbai- 400020. I am an engineer working at Asgard Industries Pvt. Ltd, as a General Manager. I went to 'Seth Electronics' located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095. It is an electronics shop that deals with the sale of mobiles, laptops, televisions, microwaves, and other electronic appliances. I had visited the shop for the purchase of a mobile phone as they were hosting a grand 'Black Friday sale' offering huge discounts on electronics, especially on smartphones. To avail the same, I had visited the shop on 22nd December 2023. I asked for a sample piece and also inquired a little about the discount under the said scheme.

I decided to purchase two O-Phones worth Rs. 2 lakhs. A month later, the O-Phone had problems in its functionality. So, I visited the nearest authorized service centre of O-Phone. The technician examined both phones to find out what the real problem was. The technician, after examining both the phones, informed me that, both the devices were not covered under O-phone's policy as they were counterfeit products and not the original product. This left me in utter shock. I was taken aback by the dishonest sale and decided to lodge a complaint. I went to the nearest police station immediately and registered a FIR against M Seth.

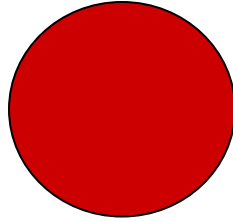
I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Date:12th February, 2024

Sd/-

Mr. A. Patel.

(COMPLAINANT)



**Directorate of Enforcement
Ministry of Finance
Government of Bindia**

Zumbai - II Zonal Office
Unit number 301, 3rd floor, Cross House, Tulip Road, Mayanagri, Zumbai

Summon No.: PMLA/SUMMON/ZBZOII/07/2024

ECIR No.: ECIR/ZBZO/07/2024

Summon

Whereas I, M. Deshmukh, Assistant Director, am making an investigation under the provisions of the Prevention of Money laundering Act, 2002 (15 of 2003).

And whereas, I consider the attendance of Mr. B Kukreja necessary in connection with the said investigation.

Now, therefore, in exercise of the powers conferred upon me under sub-section (2) and subsection (3) of section 50 of the said Act, I require the said Mr. B Kukreja to appear before me at my office on **4th March, 2024 at 12 noon** along-with the documents as per schedule attached.

SCHEDULE**(As, per Annexure-'A' enclosed)**

GIVEN UNDER MY HAND AND SEAL, THIS 21st DAY OF FEBRUARY TWO THOUSAND TWENTY-FOUR

Sd/-
M. Deshmukh
Assistant Director
AD/ZBZOII

To,
B. Kukreja
901, Kapoor Towers,
Devgan Lane,
Kalanagari, Zumbai - 400055.

Note:

1. Every proceeding under sub-section (2) and subsection (3) of section 50 of the Prevention of Money Laundering Act, 2002 shall be deemed to be a judicial proceeding within the meaning of section 229 and 267 of the Indian Nyaya Sanhita, 2023.
2. Without prejudice to the provisions of any other law for the time being in force, if you fail to give evidence as mentioned in the Schedule, you shall be liable to penal proceedings under the Prevention of Money Laundering, 2002.

ANNEXURE-A to the Summons to be issued to Mr. B. Kukreja

Please provide the following documents at the time of your appearance before ED;

1. Details of all the bank accounts held by you from the year 2023 onwards alongwith statement of accounts (in soft copy as well).
2. Any other relevant information/document you want to submit in this case.

STATEMENT OF MR. B KUKREJA U/S 50 OF PMLA, 2002.

NAME: B. Kukreja.

AGE: 50 Years and 2 months.

I am B. Kukreja, residing at 901, Kapoor Towers, Devgan Lane, Kalanagari, Zumbai - 400055. I am the owner of the shop located at Shop No. 2, Beejay Complex, Dr. Gaur Road, Kalanagari, Zumbai - 400095.

I am a well-established businessman. Our family business deals in textiles, and was set up by my grandfather. Along with that, I have several properties in this city which I give on lease basis, to earn some extra money. Usually this is done by putting up advertisements of the same in the newspaper or social media. The property at Beejay Complex has been leased to Mr. M. Seth since 1st July, 2023. Our agreement is for 3 years. According to our terms of agreement, the rent is payable on a monthly basis. However, between us, we had an understanding that depending upon his financial condition, Mr. Seth would pay the rent in arrears or advance, as the case maybe.

One could say that we are friendly with one another. I visit the shop sometimes to check on its condition and maintenance. Mr. Seth and I usually end up having a chat when I do so. During our visits one of his employees would also come up to me to have a chat and we too developed a good friendship over the time.

I happened to know about the 'Black Friday Sale' which happened at the end of last year as Seth spoke to me about it once or twice maybe.

As far as my knowledge goes, Mr. Seth was always welcoming and friendly, and I trusted him. I did my due routine diligence that I do with all my tenants and I did not believe that there was anything suspicious about him or his business. He seemed like an honest man, and believing so, I had given the shop on lease to him. I am not involved in any of his business concerns or transactions.

I have given this statement in a sane mental condition. Everything that I have stated is true to my knowledge.

Sd/-
B. Kukreja

DATE - 4th March, 2024