

GOVERNMENT OF NCT OF DELHI
SERVICES DEPARTMENT
DELHI SECRETARIAT, 5TH LEVEL, 'B'WING,
I.P ESTATE, NEW DELHI-110002.

F.16(09)/2022/S-II/Pf-I/2512-2515/21963 Dated: 31/10/2023

To

The Secretary to the Hon'ble Minister (Health),
Delhi Government,
Delhi Secretariat, New Delhi.

Sub: Alluring innocent persons for government jobs by Sh. A.V. Premnath (compulsory retired) in assistance with others. Status of investigation in the FIR No. 171 dated 16.06.2023 filed by Delhi Police before Hon'ble High Court and Supreme Court regarding allegations made by one Sh. Nakul Kashyap for demanding bribe for giving him appointment in Government Service in GNCTD on compassionate ground-reg.

Sir,

1 This is in continuation of this Department's letter of even number dated 16.10.2023 apprising Hon'ble Minister (Health) the procedure being followed in dealing with the cases of appointment on compassionate ground in the Services Department, GNCTD and informing that all the news published in newspapers wherein allegations had been made with regard to demanding of bribe in exchange for an appointment on compassionate grounds by Sh. Nakul Kashyap whose case was pending in the Services Department for seeking appointment on Compassionate Grounds, are baseless and false.

2. In this regard, it is further informed that this Department is in receipt of status report from Delhi Police authority which had been filed before Hon'ble High Court of Delhi and Supreme Court

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submitting the initial findings of the investigations in FIR No. 171 dated 16.06.2023 which was registered by Delhi Police to investigate the allegations levelled by one Sh. Nakul Kashyap who alleged that he was persuaded by Sh. A.V. Prem Nath (compulsory retired) and others to make false complaint against the undersigned of demanding bribe in exchange for appointment in Government Service and using castiest remarks for him by the undersigned.

3. As per the above FIR, Sh. Nakul Kashyap furtuer alleged that he was allured by A.V. Prem Nath(compulsory retired) and others that he would be appointed in govt service of GNCTD if he would make a false and fabricated complaint against the undersigned.

4. Sh. A.V. Prem Nath(compulsory retired) filed a petition before Hon'ble High Court of Delhi and Hon'ble Supreme Court with the prayer to quash aforesaid FIR No. 171/2023.

5. The copy of the status report received from Delhi Police is enclosed for your perusal.

6. The status report, inter alia, mentions the following facts:

"i. That during investigation, it revealed that the present Applicant/accused due to personal grudge with Sh. YVVJ Raj Sekhar, Spl Secretary (Services and Vigilance) made conspiracy to implicate him in false case and consequently he duped the complaintant Sh. Nakul Kashyap by alluring to provide him a job on compassionate ground and



lodged false and fabricated complaint against Sh. YVVJ Raj Sekhar on behalf of the complainant.

- ii. That the petitioner created fake email-id nakulkashyap1717@gmail.com from the internet of his residence without the knowledge, permission and presence of complainant Sh. Nakul Kashyap and he mailed several complaints to different agencies against YVVJ Raj Sekhar only to implicate him in a false criminal case.*
- iii. That the petitioner purchased a second hand mobile Vivo-Y2I from Gaffar Market, Karol Bagh and also a SIM having mobile number 8384001874 in the name of his assistant Deepak to lodge false and fabricated complaint against YVVJ Raj Sekhar. The petitioner came in contact with Mr. Anil Gaur, PA of Sh. Saurabh Bhardwaj by this mobile number.*
- iv. That as per the whatsapp chat between complainant and present petitioner with Mob. No.8384001874, it's found that it is the petitioner, who shared the details of Sh. YVVJ Raj Sekhar to the complainant.*
- v. That the IP addresses of alleged email-id nakulkashyap1717@gmail.com obtained and during investigation it is found that mac-id registered in the name of Asha Prem Nath W/o the present applicant.*
- vi. That during spot inspection at the residence of the present petitioner and on the instruction of FSL, Rohini expert team one desktop HP-22, Jio internet*




router containing mac-id A8DAOCAD72BC and three visiting card of Guru Kripa Electronics having details of mobile model No. and IMEI number were recovered in the case.

vii. That during investigation, it was found that petitioner was using a Desktop HP-22 at his residence to commit instant crime by preparing the contents of complaints against Sh.YVVJ Raj Sekhar. The seized desktop contains several crucial evidence and several e-mail contents in relations to Sh. Nakul Kashyap complaint and against the Sh.YVVJ Raj Sekhar and same were sent to different mail account from the system having mail id-lastsamurai689@gmail.com.

viii. That during visit of FSL cyber team and Police at the residence of petitioner, despites several calls, he was not joining enquiry with Police team and after information about Police team, present petitioner was attempting to hamper e-mail contents by opening the above e-mail-id in another system having mobile number 7302120584, which is possessed with petitioner.

ix. That after lodging false complaint against Sh.YVVJ Raj Sekhar on the instruction of present petitioner in the office of Sh. Saurabh Bhardwaj, on 21.05.23 Mr. Anil Gaur visited at the residence of complainant and asked him to meet Sh. Saurabh Bhardwaj on 22.05.23.



- x. That on 22.05.2023, complainant visited at the residence of the petitioner, as per his instruction before going to meet with Sh. Saurabh Bhardwaj in respect of false complaint lodged against Sh.YVVJ Raj Sekhar.
- xi. That on the instruction of present petitioner, Mr. Anil Gaur arranged the meeting of complainant with Sh. Saurabh Bhardwaj with regards to his complaint lodged against Sh.YVVJ Raj Sekhar.
- xii. That it was present petitioner, who hired an advocate Orangazeb only to represent the complainant before the Vidhan Sabha and at the office of LG House.
- xiii. That on 13.06.2023, petitioner, had also visited at Vidhan Sabha alongwith the complainant and arranged advocate to represent him.
- xiv. That on 15.06.2023, petitioner had also taken out a rally/ protest against Sh.YVVJ Raj Sekhar at the LG House, where Advocate Orangazeb also represented the complainant.
- xv. That email-id lastsamurai689@gmail.com was created on 12/07/2022 in the desktop HP-22 of present petitioner and account recovery mobile number is 9999193164 and users' phone numbers are 9999193164, 8384001874, 9910816120, 6398460822 and 7302120584. The mobile number 8384001874 is that alleged mobile number by which
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complainant Sh. Nakul Kashyap was in regular touch with present petitioner and he was being guided and by which the information about Sh.YVVJ Raj Sekhar was sent to the complainant through whatsapp.

xvi. That during investigation shopkeeper Sh. Charandeep Singh, the owner of Guru Kripa Electronics, Gaffar Market, Karol Bagh identified the petitioner, who purchased the alleged mobile Vivo-Y-21 in which mobile number 8384001874 was being used during the commission of crime.

xvii. That CDR location, CCTV footage and identification of the complainant corroborate the versions of complainant that Mr. Anil Gaur visited at the residence of complainant in the series of allurements to get job on compassionate ground.

xviii. That statement of Mr. Rohan Kaushik recorded U/S-161 CrPC support the version of complainant that Advocate Manish prepared a complaint to file complaint at Vidhan Sabha.

xix. That as per CDR analyses of different mobile numbers possess by the petitioner, Mr. Anil Gaur, Adv Orangazeb, Adv Manish, Mr Deepak and complainant, the versions of complainant found correct and corroborating the allegations against the present petitioner.



xx. That during investigation, the CCTV footages from the colony of petitioner Sh. A.V. Prem Nath(compulsory retired), received for the dated- 10-12/06/2023 and analyzed. On analyses, it's found that the complainant has not visited at the residents of petitioner on 10.06.2023, where on that day alleged/fake E-mail id was created by the petitioner at his residence and first time complaint was mailed in the name of complainant without his knowledge and presence.

xxi. That 04 criminal cases found registered against present petitioner and it has also been found that present petitioner was also involved in similar type of criminal activity previously.

xxii. That the email-id created in the name of the complainant created by the present petitioner was identified as one nakulkashyap1717@gmail.com and it is the same mail through which complaints were made to the office of CP Delhi Police and various other authorities to pressurize authorities to take action on the physical complaint which was allegedly made by the complainant against Sh.YVVJ Raj Sekhar before Delhi Police through SHO, IP Estate under the influence of the petitioner.

xxiii. That present petitioner is a DANICS officer during suspension, he committed instant crime. It is matter of investigation that if the petitioner is not



involved in the instant crime, then how he received documents filed in the present petition.


xxiv. That despite the direction of Hon'ble High Court, present applicant has not complied with the same and has not produced the mobile phone Vivo-Y2I during investigation and he is not -co-operating in the investigation of the case."

7. From the above status report, it is evident that Sh. Nakul Kashyap has been allured by Sh. A.V. Premnath (compulsory retired) in conspiracy with Sh. Anil Gaur and others in the Office of Hon'ble Minister for providing him an appointment in Government Service in GNCT of Delhi on Compassionate Grounds.

8. The above status report clearly speaks that a conspiracy was hatched to defame Services Department by Sh. A.V. Premnath (compulsory retired) in assistance with Sh. Anil Gaur and others with ulterior motive.

9. From the above, it is evident that Sh. A.V. Premnath (compulsory retired) was indulging in alluring people for providing jobs in government service in conspiracy with others. In order to deflect the issue and legitimise his counter complaints, he is using diversified tactics of complaints and misusing various forums like Delhi Legislative Assembly.

10. It is once again reiterated that the cases for seeking appointments in Government Service of GNCT of Delhi on Compassionate Grounds have been dealt as per instructions/orders contained in the Master Circular dated



02/08/2022 issued by DoPT, Government of India and as per the O.M. dated 21/03/2023 approved by Hon'ble Lt. Governor, Delhi. The cases were dealt with transparency and without making any favour to any of the candidates.

11. As communicated vide this Department's Letter dated 16.10.2023, wherein it was intimated that the recommendations given by the Screening Committee had been uploaded on the website of the Services Department providing opportunity to all the applicants to inspect their respective files and points obtained/awarded, the time limit for inspection of the files by the applicants is already over.

12. Now, the Services Department is going to initiate the process of obtaining approval of the Competent Authority for nominating the recommended candidates to various departments for their appointments, as per rule.

Yours faithfully,

Encl: As above.


Y.V.V.J. RAJASEKHAR, IAS
SPECIAL SECRETARY (SERVICES)

F.16(09)/2022/S-II/Pf-I/2512-2515/21963

Dated: 31/10/2023

Copy to:

1. OSD to Chief Secretary, Delhi.
2. PA to Pr. Secretary (Services)
3. The Dy. Secretary -I (Services), Services Department with the direction to upload the above letter on the website of Services Department, GNCTD alongwith the status report received from Delhi Police.


(BHAIRAB DUTT)
DEPUTY SECRETARY (SERVICES)

Despatch No. 2709

On 27/10/2023

P.S.I.P. Estate New Delhi

Total include pages

183

OFFICE OF THE STATION HOUSE OFFICER, POLICE STATION

I.P. ESTATE, NEW DELHI

To,

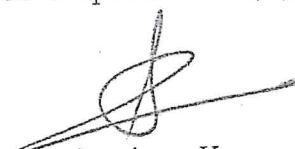
Sh. Bhairab Dutt
Dy. Secretary (Services)
Delhi Secretariat, 5th level
A-Wing, IP Estate, New Delhi

Subject:- Regarding FIR No. 0171/2023 documents related to pleading before Hon'ble Supreme Court.

Sir,

Kindly refer to your office letter number F. No. 16(71)/2023/S-II/2494-95, dated- 26.10.2023 regarding requirement of the documents, related to pleading before Hon'ble Supreme Court by both the parties. The copies of all the documents as asked to provide are being attached herewith as an annexure for the perusal of GNCT, Compassionate Branch, Services Department (II), Delhi Secretariat, 5th level, A-wing, IP Estate, Delhi.

Submitted please.


Insp. Sanjeev Kumar
SHO/IP Estate, Delhi
27/06/2023

263/C

IN THE HON'BLE HIGH COURT OF DELHI AT NEW
DELHI

CRL. M.C. 4385 OF 2023

IN THE MATTER OF:-

A.V. PREMNATH

Petitioner

Versus

STATE (NCT OF DELHI)

Respondent

FIR NO. 171/2023

PS IP ESTATE, DELHI

U/s- 417/419/468/471/120B IPC

NDOH- 20.07.2023

STATUS REPORT

Most respectfully sheweth:

The present petition is not maintainable as the investigation in the present case is at initial stage and charge sheet is yet to be filed. Present FIR prima facie disclosed the commission of cognizable offence and the allegations mentioned therein found corroboration during the investigation so far. Therefore, on this ground alone, present petition is liable to be dismissed at the threshold.

It is humbly submitted that on 03.07.2023, the titled matter was listed before the Hon'ble Court, wherein Hon'ble Court directed to take the necessary steps so as to production of mobile phone (Vivo Y-21) in which the SIM No. 8384001874 was being used by the petitioner. Interim order was also continued by the

(7)

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264/-

Hon'ble Court till the next date of hearing. Consequently, three notices U/S- 91 CrPC were issued to the petitioner to produce and handover the same alongwith other information; however, petitioner has not complied with the directions and also not produced the same.

The brief facts of the case is that on dated 27.05.2023, a complaint in the name of Sh. Nakul Kashyap S/o Late Sh. Ramesh Babu was received at P.S.I.P.Estate against Sh. YVVJ Rajasekhar, Special Secretary (Services) for using caste based remarks against the complainant and to register a case under SC/ST (Prevention of atrocities) Act, 1989. Complainant alleged that he belongs to Scheduled Caste and his father Late Sh. Ramesh Babu was working as Nursing orderly in LNJP Hospital and on 09.12.2016, he died on duty. On 01.10.2021, he met Sh. Manish Sisodia, Hon'ble Deputy Chief Minister and Minister Services as there was inordinate delay in compassionate appointment in his case, his office duly wrote to Services Department for immediate necessary action in the case of his compassionate appointment. In this regard, he personally met Sh. YVVJ Rajasekhar, Special Secretary (Services) in March 2023 and showed him the aforementioned letter of Office of Sh. Manish Sisodia, Hon'ble Deputy Chief Minister and Minister Services dated 01.10.2021 addressed to Services Department. YVVJ Rajasekhar threw it on his face showed so much anger and abused him. The other staffs of the Services Department were also present in the Room at that time. He shouted that already so many *Harijans* are working in Delhi Government through reservation and more *Harijans* should not be given jobs on compassionate grounds. The complainant was dumbstruck and shocked at his behavior and caste

261/c

abuse. He felt humiliated in front of the staff. Therefore, complainant requested to register a case under SC/ST (Prevention of atrocities) Act, 1989 against Sh. YVVJ Rajasekhar, Special Secretary. The Said complaint was accompanied with a complaint dated 19.05.2023 addressed to Shri Saurabh Bhardwaj, Hon'ble Minister of Services and Vigilance, GNCT, Delhi levelling allegation of "Cash for Compassionate Jobs Scam" in Delhi Government's Service Department against Special Secretary (Services) Shri YVVJ Rajasekhar. Since the complaint pertains to offences under SC/ST (POA) Act, however, since there was a delay, and also in order to satisfy prima facie basic ingredients as laid down by Hon'ble Constitutional Courts, a verification of facts of the matter was found necessary. During the course of enquiry, a letter of Shri YVVJ Rajasekhar dated 12/06/2023 addressed to SHO/I.P. Estate police Station was received at P.S I.P Estate in which it has been alleged that mails have been dispatched to Chief Secretary as well as Secretary (Vigilance) on the night of 10.06.2023, vide e-mail Id nakulkashyap1717@gmail.com mentioning mobile no. 9999442761 and the source information indicates that this is a fake mail ID and complaints are being lodged at the behest of Sh. Nukul Kashyap, whereas, Shri Nukul Kashyap has not lodged these complaints at all through this e-mail ID.

In order to have fair enquiry and to verify the above claim of Shri YVVJ Rajasekhar, the verification of email id was conducted from Google and it was informed by Google that above e-mail ID is created on 10/06/2023 from IP address 2405:201:4000:2802:12:734f:4749:3a4c and on further verification

268u

from Jio, the internet service provider, it was found that the user for source Mac-ID is a8da.0ead.72bc and it is in the name of Ms. Asha Premnath W/O the petitioner. Since the above e-mail id was created on 10/06/2023, to verify the same, complainant Shri Nakul Kashyap was also called to verify the facts and during verification of facts, the complainant gave his handwritten statement, denying about any caste based remarks made by Shri YVVJ Rajsekhar against him and he never met Shri YVVJ Rajsekhar. He also stated that the e-mail Id nakulkashyap1717@gmail.com does not belongs to him and is not created by him. His e-mail ID is nakulkashyap1708@gmail.com. He further stated that Shri AV Premnath, who is an officer in Delhi Government, duped him by alluring to provide him a job. He has no idea about the complaint filed in his name.

That after above preliminary enquiry and recording the statement of Sh. Nakul Kashyap by the direction of Senior officer to secure the electronic evidence and to seize the crucial evidence, a team in the supervisions of SHO/IP Estate reached at the residence of alleged (petitioner) Sh. AV Prem Nath i.e. Flat No. 64, Delhi Govt. officers flats, Greater Kailash-I, Delhi. After that, in the presence of the neighbor of Sh. AV Prem Nath, Mr. Kuldeep police team traced alleged mac-id equipment, Jio router at the residence of Sh. AV Prem Nath. Thereafter in the presence of advocate Sh. RajKishore Choudhary, Sh. Kuldeep and the family member of Sh. AV Premnath the whole team made search of whole flat and found several crucial evidences in the Desktop HP-22 of Sh. AV Prem Nath having several e-mail contents in relations to Sh. Nakul Kashyap complaint and against the Sh. YVVJ Rajsekhar and same

258/c

were sent to different mail account from the system having mail id- lastsamurai689@gmail.com. Alleged Sh. AV Prem Nath was not present at his residence and despite several calls, he did not join enquiry with Police team. After that, cyber expert team from FSL Rohini were called for spot inspection and to help in the seizure of electronic evidences found at the residence of Sh. AV Prem Nath, as after information about Police team, alleged Sh. AV Prem Nath was attempting to hamper e-mail contents by opening the above e-mail-id in another system having mobile number 7302120584 and with the help of e-mail recovery mobile number 9999193164, which is possessed with alleged Sh. AV Prem Nath. Hence, after the arrival of FSL, Rohini Expert team the spot inspection conducted and on the instruction of FSL team the desktop HP-22, Jio internet router containing mac-id A8DAOCAD72BC and three visiting card of Guru Kripa Electronics having details of mobile model No. and IMEI No. (i) Vivo Y-21- 864848056446690, (ii) Redmi 10 Prime- 868480053928557 and (iii) Redmi Note 8 Pro- 867965040250199 and one sim wrapper having sim No. 8991000907902754405 seized.

That as per statement of the complainant abovementioned case registered and investigation was taken up. During examination of mobile phones of complainant some screenshots, message contents and photos of whatsapp chatting between him and Sh. AV Prem Nath, saved in the name of 'Sir ji 2 Sachivaly' having mobile number 8384001874 were taken and the mobile phone of the complainant seized for the purpose of evidence.

That as per statement of the complainant, he got in touch with the petitioner before one and half years and during that time he

25/11/23

helped the complainant to proceed his file for the jobs on compassionate grounds and consequently his files transferred to the secretariat. However, from some-times, he was not in touch with the petitioner and just about one and half month before petitioner talked to him from another mobile number 8384001874, and asked about the status of his job on compassionate grounds. On denying, petitioner said that he will file an application and then his work will be done. Hence, on 19.05.23, petitioner called him at Patiala House court and assured that he had talked into his matter with one of the minister of AAP, Sh. Saurabh Bhardwaj and his meeting has also been fixed with him and after giving complaint against one Raj Shekhar, they will get him the said job. After which, applicant/petitioner got his signature on many papers and told him that there is no need to understand about the complaint and he will get the job. As per the version of the complainant, applicant made two sets of that complaint, one set for Sh. Arvind Kejriwal and the other for Sh. Saurabh Bhardwaj and thereafter, Mr Deepak, the assistant of petitioner took him to the Secretariat and lodged the complaint as per petitioner's instruction. After that, on 21.05.23 at 7-7.30 pm, two persons visited his house, one of them was Mr Anil Gaur, who told that he had come from the office of Sh. Saurabh Bhardwaj. He told that Sh. Saurabh Bhardwaj has called him to his office tomorrow morning i.e. on 22.05.23 and provided his mobile number 9911174848 to him. After that he informed all these development to the petitioner on the phone, who gave some direction to him and also asked him to visit his residence before going to the office of Sh. Saurabh Bhardwaj. Accordingly, he visited the residence of the petitioner, where petitioner gave certain

257/c

direction to him regarding meeting with Sh Saurabh Bhardwaj. After that, he reached Delhi Secretariat and called on Mr Anil Gaur's mobile and informed that he has reached to Delhi Secretariat, on which Anil Gaur told him that he is not available there but will reach shortly, however, with Mr. Anil Gaur intervention, he was issued visiting pass to meet Sh. Saurabh Bhardwaj. After that he waited for Mr Anil Gaur outside the office of Sh. Saurabh Bhardwaj. After arrival, Mr Anil Gaur arranged his meeting with Sh. Saurabh Bhardwaj and Sh. Saurabh Bhardwaj told him to stick to his complaint against Rajsekhar and his work will be done. After that, on 03.06.2023, petitioner informed him to talk Mr Anil Gaur, who called him at Delhi Gate, where he met Mr Anil Gaur and Advocate Manish. There on the instruction of Mr Anil Gaur, he signed some papers and lodged complaint at Police station as well as DCP office. After that all of them visited Patiala House Court, where Advocate Manish prepared some papers as per instruction of Mr Anil Gaur and complainant signed the said document and same were lodged before the committee of Vidhan Sabha, Delhi. After that, he received notice dated 13.06.2023 from Delhi Legislative Assembly and same was informed to the petitioner, who visited Delhi Vidhan Sabha alongwith him and one Advocate Orangazeb to assist him. On the direction of petitioner, he alongwith advocate went inside the assembly and he was represented by the advocate hired by the petitioner. Besides, on 15.06.2023, petitioner had also taken out a rally/protest against Rajsekhar at the LG House, where Advocate Orangazeb also represented the complainant, whereas complainant had not visited LG House.

256/C

That during investigation notice U/s 91 CrPC was sent to Google in respect the information of email-id nakulkashvan1717@gmail.com and lastsamurai689@gmail.com. As per reply received from google, it revealed that email-id lastsamurai689@gmail.com was created on 12/07/2022 and account recovery mobile number is 9999193164 and users' phone numbers are 9999193164, 8384001874, 9910816120, 6398460822 and 7302120584. The mobile number 8384001874 is the mobile number by which complainant Sh. Nakul Kashyap was in regular touch with Sh. AV Prem Nath and he was being guided and by which the information about Sh. YVVJ Rajsekhar was received by the complainant through whatsapp. Further email-id nakulkashvan1717@gmail.com was created on 10.06.2023 at 17:05 Z by the IP- 2405:201:4000:2802:12:734f:4749:3a4c.

That during investigation Sh. Charandeep Singh S/o- Sh. Ujagar Singh, the owner of Guru Kripa Electronics, Shop No. 44, Street No. 1, Gaffar Market, Karol Bagh was interrogated in details. As per details, provided by Sh. Charandeep Singh the visiting card mentioning mobile model No. and IMEI No. (i) Vivo Y-21-864848056446690 was purchased in the name of Vipin-9211706760 on 27.04.2023, (ii) Redmi Note 8 Pro-867965040250199 was purchased in the name of Tanuja-8958024658 on 27.04.2023 and (iii) Redmi 10 Prime-868480053928557 was purchased in the name of Vipin Kumar-9211706760. During the time, alleged Sh. AV Prem Nath joined the investigation of the case alongwith his associate Mr Deepak and after seeing both Sh. Charandeep Singh identified them and told that

25514

these are the persons, who had purchased above mobiles in above name from his shop on two different dates.

That during investigation, the associate of Sh. AV Prem Nath, Mr Deepak S/o- Sh. Surender Kumar R/o- H.No. 415/21, MCD Flats, Jahangirpuri, E- Block, New Delhi was also interrogated verbally, who confirmed/affirmed that he had gone alongwith Sh. AV Prem Nath to Gaffar Market to purchase the above mobile phones from the shop of Sh. Guru Kripa. However, due to late hours, he was relieved from the investigation of the case and directed to join investigation on next date. But thereafter, he did not turn up despites notices U/s- 160 CrPC duly served to his family member on different dates.

That during investigation Sh. Anil Kumar Gaur S/o- Sh. KM Sharma R/o- H.No. A-35/1, Bhatia Gali, Maujpur, Delhi was interrogated in the case, however he denied all allegation levelled against him. During that time complainant Sh. Nakul Kashyap also joined the investigation and after seeing Sh. Anil Kumar Gaur, he identified him and told that he know him very well and he is the person, who alongwith one other person had visited his home on 21.05.2023 and told him that he has called by Sh. Saurabh Bhardwaj. Further, on his instruction, he filed complaint at Police station IP Estate and DCP office and also signed several documents at Patiala House court for the filing at Delhi Vidhan Sabha. Hence, for the purpose of evidence, the mobile of Sh. Anil Kumar Gaur seized.

That during investigation, Sh. Naveen Arora, Sr. PA at the office of Sh. Sourabh Bhardwaj interrogated in the case and during

25/11/23

interrogation he has not disclosed any details, that on whose instructions, he arranged visiting pass for the complainant on 22.05.2023 and what was the allegations of the complainant. He only submitted that he is doing his job on the instruction of Sh. Saurabh Bhardwaj- Minister, OSD, Volunteers and Secretary to Minister.

That during investigation, the exhibits in the case, deposited at FSL Rohini, Delhi for expert opinion and for further investigation into the case and the report in this respect is still pending at FSL Rohini, Delhi.

That during investigation, Advocate Manish Kumar Angirash interrogated and he supported the version of complainant. He submitted that he was called by Mr. Anil Gaur to assist Mr. Nakul Kashyap and to file his complaint at Police station IP Estate and DCP office. However, he denied about the complaint prepared at Patiala House court to file before Delhi Vidhan Sabha.

That during investigation, Mr. Rohan Kaushik joined the investigation of the case also provided reply of notice issued U/s- 91 CrPC alongwith supporting documents. During investigation, he submitted that on 03.06.2023 at about 04:45 PM, three persons were visited at his seat at Patiala House court and asked to modify one document, which was sent to his whatsapp number 7065768241 through whatsapp number 9654869693, (pertains to Advocate Manish) in the name of SCST Act. PDF. After some modification, on the instruction of sender, he took print out the same and given him. He provided attested copy of the same alongwith screenshot of whatsapp chat for the purpose of investigation of the case.

253/-

That during investigation, Advocate Orangazeb Khan interrogated in the case, who supported the version of complainant. He submitted that he was hired by the petitioner and no fees has been paid against the services provided by him on the instruction of the petitioner. He also submitted that he represented Sh. Nakul Kashyap at Vidhan Sabha on the instruction of petitioner and also at the office of LG House during the protest. Further petitioner accompanied the complainant at Vidhan Sabha as well as at LG office.

That during investigation, on 01.07.2023, petitioner joined the investigation of the case. During interrogation, he did not cooperate in the investigation and no query was replied straight forwardly by him and he diverted the matter on one pretext or the other. He has also not produced the case property, i.e Mobile Vivo Y-21 in which the mobile number 8384001874 was being used by him and crucial evidences are available. However, during interrogation, he admitted that the aforesaid mobile is in his possession, which he will produce before Hon'ble High Court. In between investigation, he left Police Station without completing the interrogation of the present case.

That during investigation, CCTV footages in respect of visiting of Mr Anil Gaur at the residence of complainant on 21.05.2023 was received from PWD through notice U/s- 91 CrPC. On analyses of CCTV footages received from PWD, it is revealed that Mr. Anil Gaur visited at the residence of complainant on 21.05.2023, which support the versions of the complainant Sh. Nakul Kashyap.

252/c

That during investigation, in consequent upon notice U/s 91 Cr.P.C. dated 04.07.2023, Sh. Sanjay Kumar Surya, Assistant Director, Govt. of NCT of Delhi, Directorate of Vigilance, Delhi Secretariat, Delhi submitted that the petitioner is not clear from the Vigilance angle since 2001 and the name of Sh. AV Prem Nath, DANICS is included in the Doubtful Integrity List of 2021, which is applied to the year 2023 also. The following cases are pending against him:-

Case No.	Period/Department	FIR No.	Status
I	26/04/2000 to 23/07/2001 Revenue	Departmental proceedings	Charge Memorandum issued. I.O. & P.O. appointed
II	26/04/2000 to 23/07/2001 Revenue	FIR No. 34/02/SKG/ACB	Charge sheet filed by ACB on 14.01.2020
III	26/08/2020 to till date Urban Development	FIR No. 03/22, Kotwali Ranikhet "POCSO"	Charge sheet filed by Uttarakhand Police. Currently under interim Stay on trial from Hon'ble Supreme Court
IV	26/08/2020 to till date Urban Development	FIR No. 03/21 Vigilance Establishment, Uttarakhand for filing complaint against Ld. Civil Judge, Almorah by using fake email-id.	Case under investigation charge sheet not filed yet. MHA is examining the Prosecution sanction.
V	Complaint by Smt. Devaki Devi regarding development of property by Sh. AV	FIR No. 07/2023 dated 16.06.2023 filed u/s 13(1)(e) Report filed by r/w 13(2) of the PoC	Initial special report filed by ACB, GNCTD

251/c

Premnath at Almora (Uttarakhand)	Act, ACB, GNCTD 1988 and 13(1)(b) r/w 120-B IPC in PS, Anti-Corruption Branch, GNCTD	
Disproportionate Assets case		

That during investigation, CDR of the mobile numbers 9999442761 (mobile number of complainant), 9911174848 (mobile number of Mr. Anil Gaur), 9990499261 (mobile number of Adv Orangazeb), 8384001874, 9999193164, 9910816120, 6398460822 & 7302120584 (mobile number pertains and used by the petitioner), 9654869693 (mobile number of Adv Manish), 9999193859 & 9958503859 (mobile number of Deepak, the assistant of the petitioner) obtained from different nodal officer and analyzed in the case. On analyses, it revealed that:-

1. On 19.05.2023 from 12:04 PM to 03:17 PM, the locations of complainant Sh. Nakul Kashyap, petitioner Sh. AV PremNath and Mr Deepak found near about the Patiala House court and Delhi Secretariat; which support the version of complainant that he was duped by alluring to provide him a job and on 19.05.2023, the petitioner called the complainant and asked to come at Patiala House court, where complaints prepared by the petitioner signed by the complainant and same were filed at the office of Sh. Arvind Kejariwal and Sh. Saurabh Bhardwaj at Delhi Secretariat with the help of Mr. Deepak.
2. On 21.05.2023, Mr. Anil Gaur visited at the residence of the complainant; which supports the version of

complainant that after filing the complaint on the instruction of the petitioner, in the office of Sh. Saurabh Bhardwaj, Mr. Anil Gaur visited at the residence of complainant and informed that he has been called by Sh. Saurabh Bhardwaj.

3. On 21.05.2023, complainant called the petitioner on mobile (8384001874) at 08:08 PM and after that on 22.05.2023 at about 09:50 AM, on petitioner direction, he visited at the residence of the petitioner, which support the version of complainant that after the visit of Mr Anil Gaur at his residence, he informed the petitioner, who gave certain direction regarding his visit to Sh. Saurabh Bhardwaj office and also directed him to come at his residence.
4. On 22.05.2023, at about 11:00 AM, complainant visited at Delhi Secretariat; which support the version of complainant that on the instruction of petitioner and after appointment with Sh. Saurabh Bhardwaj, he visited at the office of Sh. Saurabh Bhardwaj, where he met with Sh. Saurabh Bhardwaj with the help of Mr Anil Gaur.
5. On 03.06.2023, complainant, Mr Anil Gaur and Adv Manish visited at Delhi Gate, IP Estate and Patiala House court, which support the version of complainant Sh. Nakul Kashyap that on 03.06.2023 petitioner informed complainant to talk Anil Gaur, who called him at Delhi Gate, where he met Mr Anil Gaur and Advocate Manish. There on the instruction of Mr Anil Gaur, he signed some papers and lodged complaint at Police station as well as

248/c

DCP office. After that all of them visited Patiala House Court, where Advocate Manish prepared some papers as per instruction of Mr Anil Gaur and he signed that document and same was lodged before the Committee of Vidhan Sabha.

6. On 10.06.2023, complainant had not visited at the residence of the petitioner, where on that day alleged/fake E-mail id was created by the petitioner at his residence and first time complaint was mailed in the name of complainant without his knowledge and presence.
7. On 13.06.2023, complainant, petitioner Sh. AV Prem Nath, Mr Deepak- the assistant of petitioner and Adv Orangzeb visited at Delhi Vidhan Sabha; which support the version of complainant and advocate Orangzeb that complainant received notice dated 13.06.23 from Delhi Legislative Assembly and same was informed to the petitioner, who visited Delhi Vidhan Sabha alongwith him and Advocate Orangzeb to assist him.
8. On 15.06.2023, petitioner Sh. AV Prem Nath, complainant and Adv Orangzeb visited at Rajpura Road, Delhi; which support the version of complainant as well as Advocate Orangzeb that on 15.06.2023, petitioner had also taken out a rally/protest against Sh. Rajsekhar at the LG House.
9. As per analyses of CDRs of mobile possesses by the petitioner, it revealed that petitioner was in the contact of Mr. Anil Gaur and complainant.
10. As per analyses of CDR of mobile possesses by the Mr Anil Gaur, it revealed that Mr Anil Gaur visited at the

248/C

residence of complainant and also he was in the contact of complainant.

11. CDR analyses also support the versions of complainant as well as Advocate Manish that Mr. Anil Gaur was in there touch.

That investigation of the case is in initial stage and pending with Inspr Ganesh Kumar. During investigation, no incriminating evidences came on records against Sh. Saurabh Bhardwaj till now in the case. Investigation in respect of other accused is going on in the case.

That the present application filed by the above Petitioner/accused is strongly opposed due to the following below mentioned facts:-

1. That during investigation, it revealed that the present Applicant/accused due to personal grudge with Sh. YVVJ Raj Sekhar, Spl Secretary (Services and Vigilance) made conspiracy to implicate him in false case and consequently he duped the complainant Sh. Nakul Kashyap by alluring to provide him a job on compassionate ground and lodged false and fabricated complaint against Sh. YVVJ Raj Sekhar on behalf of the complainant.
2. That the petitioner created fake email-id nakulkashyap1717@gmail.com from the internet of his residence without the knowledge, permission and presence of complainant Sh. Nakul Kashyap and he mailed several

complaints to different agencies against Sh. YVVJ Raj Sekhar only to implicate him in a false criminal case.

3. That the petitioner purchased a second hand mobile Vivo-Y21 from Gaffar Market, Karol Bagh and also a SIM having mobile number 8384001874 in the name of his assistant Deepak to lodge false and fabricated complaint against Sh. YVVJ Raj Sekhar. The petitioner came in contact with Mr Anil Gaur, PA of Sh. Saurabh Bhardwaj by this mobile number.
4. That as per the whatsapp chat between complainant and present petitioner with Mob No. 8384001874, it's found that it is the petitioner, who shared the details of Sh. YVVJ Raj Sekhar to the complainant.
5. That the IP addresses of alleged email-id nakulkashyap1717@gmail.com obtained and during investigation it is found that mac-id registered in the name of Asha PremNath W/o the present applicant.
6. That during spot inspection at the residence of the present petitioner and on the instruction of FSL, Rohini Expert team one desktop HP-22, Jio internet router containing mac-id A8DAO CAD72BC and three visiting card of Guru Kripa Electronics having details of mobile model No. and IMEI number were recovered in the case.
7. That during investigation, it was found that petitioner was using a Desktop HP-22 at his residence to commit instant crime by preparing the contents of complaints against Sh.

24/C

YVVJ Raj Sekhar. The seized desktop contains several crucial evidence and several e-mail contents in relations to Sh. Nakul Kashyap complaint and against the Sh. YVVJ Rajsekhar and same were sent to different mail account from the system having mail id- lastsamurai689@gmail.com.

8. That during visit of FSL cyber team and Police at the residence of petitioner, despite several calls, he was not joining enquiry with Police team and after information about Police team, present petitioner was attempting to hamper e-mail contents by opening the above e-mail-id in another system having mobile number 7302120584 and with the help of e-mail recovery mobile number 9999193164, which is possessed with petitioner.
9. That after lodging false complaint against Sh. YVVJ Raj Sekhar on the instruction of present petitioner in the office of Sh. Saurabh Bhardwaj, on 21.05.23 Mr. Anil Gaur visited at the residence of complainant and asked him to meet Sh. Saurabh Bhardwaj on 22.05.23.
10. That on 22.05.2023, complainant visited at the residence of the petitioner, as per his instruction before going to meet with Sh. Saurabh Bhardwaj in respect of false complaint lodged against Sh. YVVJ Raj Sekhar.
11. That on the instruction of present petitioner, Mr. Anil Gaur arranged the meeting of complainant with Sh. Saurabh Bhardwaj with regards to his complaint lodged against Sh. YVVJ Raj Sekhar.

24
245/c

12. That it was present petitioner, who hired an advocate Orangazeb only to represent the complainant before the Vidhan Sabha and at the office of LG House.
13. That on 13.06.2023, present petitioner, had also visited at Vidhan Sabha alongwith the complainant and arranged advocate to represent him.
14. That on 15.06.2023, petitioner had also taken out a rally/protest against Sh. YVVJ Rajsekhar at the LG House, where Advocate Orangazeb also represented the complainant.
15. That email-id lastsamurai689@gmail.com was created on 12/07/2022 in the desktop HP-22 of present petitioner and account recovery mobile number is 9999193164 and users' phone numbers are 9999193164, 8384001874, 9910816120, 6398460822 and 7302120584. The mobile number 8384001874 is that alleged mobile number by which complainant Sh. Nakul Kashyap was in regular touch with present petitioner and he was being guided and by which the information about Sh. YVVJ Rajsekhar was sent to the complainant through whatsapp.
16. That during investigation shopkeeper Sh. Charandeep Singh, the owner of Guru Kripa Electronics, Gaffar Market, Karol Bagh identified the petitioner, who purchased the alleged mobile Vivo- Y-21 in which mobile number 8384001874 was being used during the commission of crime.

244/c

17. That CDR location, CCTV footage and identification of the complainant corroborate the versions of complainant that Mr. Anil Gaur visited at the residence of complainant in the series of allurement to get job on compassionate ground.
18. That statement of Mr Rohan Kaushik recorded U/S- 161 CrPC support the version of complainant that Advocate Manish prepared a complaint to file complaint at Vidhan Sabha.
19. That as per CDR analyses of different mobile numbers possess by the petitioner, Mr. Anil Gaur, Adv Orangzeb, Adv Manish, Mr Deepak and complainant, the versions of complainant found correct and corroborating the allegations against the present petitioner.
20. That during investigation, the CCTV footages from the colony of petitioner Sh. AV Prem Nath, received for the dated- 10-12/06/2023 and analyzed. On analyses, it's found that the complainant has not visited at the residents of petitioner on 10-06-2023, where on that day alleged/fake E-mail id was created by the petitioner at his residence and first time complaint was mailed in the name of complainant without his knowledge and presence,
21. That 04 criminal cases found registered against present petitioner and it has also been found that present petitioner was also involved in similar type of criminal activity previously.

22. That the email-id created in the name of the complainant created by the present petitioner was identified as one nakulkashyagi717@gmail.com and it is the same mail through which complaints were made to the office of CP Delhi Police and various other authorities to pressurize authorities to take action on the physical complaint which was allegedly made by the complainant against Sh. YVVJ Rajasekhar before Delhi Police through SHO IP Estate under the influence of the petitioner.
23. That present petitioner is a DANICS officer during suspension, he committed instant crime. It is matter of investigation that if the petitioner is not involved in the instant crime, then how he received documents filed in the present petition.
24. That despites the direction of Hon'ble High Court, present applicant has not complied with the same and has not produced the mobile phone Vivo-Y21 during investigation and he is not co-operating in the investigation of the case.

Keeping in view of above facts and circumstances, the petitioner has not complied with the direction of the Hon'ble High Court. Hence it is requested that the present relief may not be extended. However, the undersigned is ready to follow any direction/order passed by this Hon'ble Court.

Submitted Please.


Station House Officer
PS I P ESTATE, DELHI

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INDEX

Sl. No.	Particulars	Page No. of Part to which its belongs		Remarks
		Part I	Part II	
(i)	(ii)	(iii)	(iv)	(v)
1.	Report on Limitation	A	A	
2.	Listing Performa	A1-A2	A1-A2	
3.	Cover Page of Paper Book		A3	
4.	Index of Record of Proceedings		A4	
5.	Limitation report Prepared by the Registry		A5	
6.	Defect List		A6	
7.	Note Sheet		SNI	
8.	Synopsis and List of Dates	B-HH		
9.	Final interim order dated 09.08.2023 passed by the Hon'ble High Court of Delhi at New Delhi in Crl.M.C. No. 4385 & Crl.M.A. No. 16758 of 2023	1		
10.	Special Leave Petition with Affidavit	2-22		