



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS, GOVT. OF INDIA
BRANCH OFFICE, KOLKATA**

CHARGE SHEET

(Under Section 173 Cr.P.C)

IN THE COURT OF THE LEARNED NIA SPECIAL JUDGE, KOLKATA.

State (NIA)

V/s

Sunesh Kumar Sharma @ Sunesh Kumar & other.

1	Name of the Branch	NIA HQr, New Delhi.
	FIR Number, year and date	RC - 05/2015/NIA-DLI Dated 12.06.2015 arising out of Kaliachak P.S case No. 238 /15 dt. 12.05.2015 registered u/s 489B, 489C IPC , Section 18 NDPS Act.
2	Final Report/Charge Sheet No	09/2015
3	Date	06.11.2015
4	Section (s) of Law	Sections 489C, 120B, 468, 471 IPC , Section 18 NDPS Act and Section 16 of Unlawful Activities Prevention Act, 1967 as amended.
5	Type of Final Report.	Charge sheet.
6	If Final Report Un-occurred/ :False/ Mistake of fact/Mistake of law/Non-Cognizable /Civil Nature	Not applicable.
7	If Charge-sheeted: Original/Supplementary	Original.

8	Name of Investigation Officer	1. Sh. Amalendu Dhar, Dy.S.P, NIA.
9	Name of the Complainant /Informant :	Sh. Haradhan Deb, Sub-Inspector, Officer -in-Charge, Golapganj Investigation Centre, Under Kaliachak P.S, Malda, West Bengal..
10	Details of Properties /documents/ Articles/ recovered/seized during the investigation and relied upon	As per Annexure "B" & "C" enclosed.

11. Particulars of accused persons charge sheeted:

A-1

Name	Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar @ Ganesh.
Whether verified	Yes
Father's Name	Late Daya Ram
Year/Date of Birth	13.08.1968 (As per Aadhar card No. 991487502616)
Sex	Male
Nationality	Indian
Passport No	Not applicable.
Place of issue	Not applicable.
Date of issue	Not applicable.
Religion	Hindu.
Occupation	Businessman.
Address (Present)	r/o - House No.178 Sector-07, P.S- Baldev Nagar, Dist- Ambala,Haryana.
Address(Permanent)	House No. 843, Sector- 9, Urban Estate, PS- Baldev Nagar, District- Ambala City, Dist- Ambala, Haryana.
Whether verified (Address)	Yes

Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	12.05.2015.
Date of release on bail	Not applicable.
Under Acts & Sections (of charge sheet)	489C, 120B, 468 / 471 I.P.C., 18 N.D.P.S. Act, 16 U.A. (P) Act, 1967.
Previous convictions with case reference	Not applicable.
Status of the accused	Presently in judicial custody.

A-2

Name	Rajan Chopra @ Rajen Chopra @ Rajan Kumar Chopra @ Rajen Kumar Chopra @ Rajen Kumar @ Rajan Kumar
Whether verified	Yes
Father's Name	Ranjit Chopra @ Ranjit Singh @ Ranjit Pal.
Year/Date of Birth	06-02-1989. (As per driving license No. PB-2320130029573)
Sex	Male
Nationality	Indian
Passport No	Not applicable.
Place of issue	Not applicable.
Date of issue	Not applicable.
Religion	Hindu
Occupation	Businessman.
Address (Present)	r/o House No.- 259, Subhash Nagar, Sector 20C, PS- Mandi Govind garh, District Fatehgarh Sahib, Punjab.

Address(Permanent)	- do -
Whether verified (Address)	Yes
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	12.05.2015
Date of release on bail	Not applicable.
Under Acts & Sections (of charge sheet)	489C, 120B IPC, 18 N.D.P.S. Act, 16 UA (P) Act, 1967, as amended.
Previous convictions with case reference	Not applicable.
Status of the accused	Admitted to hospital since 23-08-2015 for treatment for grievous injury received on 23/08/2015 while he attempted to escape from the lawful custody of NIA during his Police remand.

12. Particulars of accused persons not charge sheeted. : Not applicable.

13. (i) Particulars of witnesses examined : As per the list enclosed in Annexure-A

(ii) List/details of documents/Articles : As per the list enclosed in Annexure - B and C.

14. If FIR is false, action taken : Not applicable.

15. Result of laboratory analysis : As mentioned in Para17.3, 17.11, 17.12, 17.13, 17.15 & 17.16.

16. Brief facts of the case:

16.1 The fact of the case is that on 12.05.2015, staff of G branch of BSF of Farakka camp under Malda district, alongwith civil police staff of Golapganj Investigation Centre under Kaliachak P.S., Malda, on a secret information from a source, spotted a Maruti car parked near Shujapur Hospital More beside NH-34 in Kaliachak P.S, Malda, West Bengal and found two persons seated inside. On

subsequent search of the vehicle, in presence of independent witnesses and Inspector of Police [REDACTED], of Kaliachak PS, [REDACTED], seized the incriminating items from the joint possession of the two persons namely Sunesh Kumar @ Sumesh Kumar (A-1) and Rajen @Rajan Kumar (A-2) who were seated inside the car. The items seized are as follows :

- a) FICN with face value of Rs. 9,00,000/-(Nine lakhs), having denomination of Rs. 1000/- total 450 nos. and Rs. 500/- total 900 nos,
- b) about 800 grams of opium,
- c) four numbers of mobile phones,
- d) two original driving license (one in the name of Sunesh Kumar and another in the name of Rajan Chopra),
- e) one old and used Maruti Suzuki Swift Dzire steel colour car having plate No. PB 23R-1926 with key,
- f) one old and used black colour travelling bag,
- g) Rs. 5,500/- genuine cash

16.2 On completing the seizure at about 6:55 PM on the spot, [REDACTED] arrested the two persons on the spot and thereafter on return to Kaliachak PS, lodged an written FIR and accordingly, Kaliachak P.S case No. 238/15 dated 12.05.2015 u/s 489B, 489C IPC and Section 18 NDPS Act. was registered and investigation commenced.

16.3 In pursuance of directions of Ministry of Home Affairs, Govt. of India issued vide order No. 11011/32/2015-IS. IV dated 09/06/2015, the NIA took up the investigation of this case by re-registering case as NIA case No. 05/2015/NIA-DLI under section 489B/ 120B IPC and 18 of N.D.P.S. Act on on 12/06/2015, arising out of Kaliachak P.S case No. 238/15.

17. Facts Disclosed During Investigation:

17.1 During investigation, it has established that the local police led by [REDACTED] [REDACTED] Kaliachak P.S. with staff of "G" Branch of BSF, Farakka seized the below noted items and the two accused namely Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar and Rajan Chopra @ Rajen Kumar were arrested on 12.05.2015 near Shujapur Hospital More under Kaliachak Police station, in Malda district, West Bengal.

- a) FICN with face value of Rs. 9,00,000/- (Nine lakhs), having denomination of Rs. 1000/- total 450 nos. and Rs. 500/- total 900 nos,
- b) about 800 grams of opium,
- c) four numbers of mobile phones,
- d) two original driving license (one in the name of Sunesh Kumar and another in the name of Rajan Chopra),
- e) one old and used Maruti Suzuki Swift Dzire steel colour car having plate No. PB 23R-1926 with key,
- f) one old and used black colour travelling bag,
- g) Rs. 5,500/- genuine cash

17.2 During investigation, the above noted items were properly seized as per seizure list and available seizure witnesses were examined. The seized Fake Indian Currency Notes (FICN) were sent to [REDACTED] [REDACTED] and the seized opium was sent to [REDACTED] [REDACTED] for examination and expert opinion. Both the accused were examined in Police remand for four days from 15.05.2015 to 18.05.2015.

17.3 The expert opinion report of [REDACTED] [REDACTED] revealed that **all the seized notes are "High Quality Counterfeit notes/s"**.

17.4 Superintendent of Police, NIA, Kolkata, based on a report submitted by the Chief Investigating officer of the case, dated 06.07.2015, issued orders vide order no RC-

05/ 2015/ NIA/DLI/ 15/ 2302 dated 20.07.2015 for allowing investigation under section 16 UA (P) Act, 1967 in the instant case, as per the provision of Section 6(3) of the Investigation of High quality counterfeit Indian Currency offence Rules, 2013.

- 17.5** During investigation, the complainant of the case [REDACTED] as well as the two independent seizure witnesses have been examined and they have corroborated in detail the sequence of events leading to the receipt of information, movement towards the place of occurrence, spotting of the car, and subsequent search, seizure, packing and labeling of items seized including Fake Indian Currency Notes, opium and other items and finally the arrest of two accused in connection with the case on 12.05.2015.
- 17.6** During investigation, Police personnel of Golapganj Investigation Centre and Kaliachak Police Station as well as Quick Response Team (QRT) of BSF, and available members of "G" Branch of BSF who were part of the intelligence and operational team of BSF, who were present in the operation and during seizure of the FICN and opium etc. were also examined. They have corroborated the development of secret information, subsequent spotting of the car, search, seizure and arrest of two accused in connection with the case.
- 17.7** Statement of witnesses have also revealed that the two accused Sunesh Kumar (A-1) and Rajan Chopra (A-2) had stayed together in one room at [REDACTED] [REDACTED] from 10th to 12th May, 2015. The guest booking register of aforesaid hotel and identity documents submitted by both the accused persons for booking of the room in the hotel have been seized during investigation of the case and hotel staff have stated about their stay in the hotel during the said period.
- 17.8** During investigation conducted at native places of the two arrested persons, witnesses have been examined who have stated that they had received Fake Indian Currency Notes (FICN) from Sunesh Kumar (A-1) and Rajan Chopra (A-2) on

previous occasion during normal cash transaction of money for business purposes. As per the said witnesses, when they had complained about the FICN, both Sunesh Kumar (A-1) and Rajan Chopra (A-2) ha promptly replaced the FICN with genuine currency notes, without raising any objection on the complaint by the witnesses. This proves that the two accused had full knowledge of the usage of the FICN and were involved in wrongful gain through use of FICN.

17.9 On 23-08-2015, at about 0630 AM, while in police custody, accused Rajan Chopra (A-2) attempted to escape from the lawful custody of NIA , Kolkata, by emerging out of the window in the toilet, after locking the toilet from inside and thereafter tried to scale down the wall of building using the iron drainage pipe fixed to the outer wall of the building. However, in the process, he slipped and fell from the 3rd floor of the building to the ground below and sustained grievous injury. Three of the police staffs who were engaged on the security duty of accused Rajan Chopra (A-2) have been examined. A separate case vide case no 128 / 15 under section 224 IPC has been registered and investigated in this connection at Bidhannagar South police station.

17.10 During search on 12-05-2015, one original Driving License vide No. [REDACTED] in the name of Sunesh Kumar (A-1) was seized in initial seizure at crime scene. The photocopy of the same was submitted by Sunesh Kumar (A-1) as proof of identity to a hotel on 10.05.2015 at the time of check in. Report of the concerned District Transport officer, Patiala, Punjab, has revealed that no driving license vide No. [REDACTED] was issued and therefore its establishes that the seized driving license is a forged document which was used as genuine by Sunesh Kumar (A-1). It is to be noted that photo copies of this particular driving license of Sunesh Kumar (A-1) alongwith that of accused Rajan Chopra (A-2), submitted by both the accused persons in the [REDACTED] at the time of check-in, on 10.05.2015 were seized during investigation.

17.11 Report of the [REDACTED] has established that the seized substance is Opium of purity 18.916 % (w/w) and quantity is 847.152

gms which is a commercial quantity and the substance seized, comes under the purview of NDPS Act 1985.

17.12 The forensic report of analysis of the mobile phones seized from possession of the accused have been received from [REDACTED]. The reports establish that the IMEI number of mobile phones as well as the SIM cards and the mobile nos in use in the said mobiles. As per Call data records (CDR) report received from the Mobile service provider, it is established that subscriber of a mobile number [REDACTED] is accused Rajan Chopra (A-2) which was used in above mobile phone during relevant period from 08.05.2015 to 12.05.2015. and the location of the subscriber Rajan Chopra (A-2) was in Malda, West Bengal, on 10.05.2015 to 12.05.2015 as per the CDR. It is also established from the CDR analysis report that subscriber Rajan Chopra (A-2) started from Punjab on 08.05.2015 and reached Malda on 10.05.2015.

17.13 Further, above noted report of the CFSL, Kolkata revealed the IMEI number of another mobile phone which was seized on 12.05.2015. As per the report of Mobile Service Provider (MSP), a particular mobile no [REDACTED] was used on above mobile phone, which as per the records of mobile service provider (MSP), was issued to Sunesh Kumar (A-1). The location of the said mobile phone was also in West Bengal, from 10.05.2015 to 12.05.2015 as per the CDR received from the MSP. Further, it has established from the CDR analysis report that accused Sunesh Kumar (A-1) has started from Haryana on 08.05.2015 and reached West Bengal on 10.05.2015.

17.14 To examine the genuineness of the seized Maruti Swift Dzire car as regards its authentic engine no. and chassis no. as well as to further detect any presence of traces of [REDACTED] inside various places of the seized car in a thorough search of the vehicle by a forensic team, a team of experts from [REDACTED] were specifically requested for this purpose during investigation by NIA. The experts of

██████████, examined the seized car thoroughly on 24-08-2015 and assisted in seizure of some additional items from the said car and they also took some chemical swabs for possibility of picking up trace substances, which were seized in investigation. All the items seized on 24-08-2015 were sent for examination to ██████████ and the engine no. and chassis no. of the vehicle were examined through forensic tools by the team of experts of ██████████. The seized suspect items and swabs were examined for traces of ██████████ as well as explosive substances.

17.15 The expert report of examination of the seized car by ██████████ experts, conducted on 24-08-2015, has been received ██████████ and it confirm the genuineness of the engine number and chassis number of the seized car. The car is registered in the name of Rajan Chopra (A-2) and the registration papers are found to be genuine during investigation. This proves that Rajan Chopra (A-2) had used his own car for driving all the way from Punjab to Malda.

17.16 Further the report of examination of the suspect substances and swabs seized from the said car by ██████████ experts on 24-08-2015, has been received vide No. ██████████ and it confirms presence of contraband substance, in one item seized from inside the car, thereby further confirming the trace presence of the contraband drugs in the said car. The ██████████ States that no trace of explosive substances could be found on the said suspect substances and swabs seized from the car on 24-08-2015.

17.17 The recovered Fake Indian Currency Notes was of High Quality and all the seized notes are of the denomination of Rs. 500/- and 1000/-, it was recovered from ██████████, which is very close (about 15 Kms from Indo-Bangladesh Border), the quantum is very high i.e. 9 (Nine) lakhs and the recovery was associated with another contraband item i.e. Narcotics substance. Also evidence has come on

record that both the accused persons had circulated FICN in the past as part of their business transactions and hence they had the knowledge of the wrongful gain from the criminal act of possessing and circulating Fake Indian Currency Notes. Therefore, the conditions as laid down in section 6(4) of the Investigation of High quality counterfeit Indian Currency offence Rules, 2013 are satisfied and thus the instant crime also amounts to a terrorist act intended to damage the monetary stability of India as defined under section 15(1)(a)(iiia) of Unlawful activities Prevention Act, 1967, as amended and hence both Sunesh Kumar Sharma (A-1) and Rajan Chopra (A-2) are also culpable under section 16 of Unlawful activities Prevention Act, 1967, as amended.

17.18 Sufficient evidence has been collected to establish that both the accused Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar (A-1) and accused Rajan Chopra @ Rajen Kumar (A-2), entered into a criminal conspiracy and together they came to Malda, West Bengal with the personal vehicle of accused Rajan Chopra (A-2) from Haryana and Punjab with intent to purchase huge amounts of Fake Indian Currency Notes with a view to damage the monetary stability of India. They were successful in procuring high quality FICN of face value 9 lakhs as well as about 800 grams of opium and while doing so, they were intercepted by a team of local police and BSF. Further, it is established that accused Sunesh Kumar Sharma (A-1) had procured a forged driving license issued in his name and also used it as genuine. Thus, accused Sunesh Kumar Sharma @ Sunesh Kumar (A-1) is liable to be prosecuted under sections 489C, 120B, 468, 471 IPC, section 18 NDPS Act and section 16 of Unlawful Activities (Prevention) Act, 1967 and accused Rajan Chopra @ Rajen Kumar ((A-2) is liable to be prosecuted under sections 489C, 120B IPC, section 18 NDPS Act and section 16 of Unlawful Activities (Prevention) Act, 1967

18. CHARGE

It is therefore prayed that the arrested accused may be charged for offences as noted below against their names in the instant case.

1. **Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar @ Ganesh(A-1) to be charged for offences under sections 489C, 120B, 468, 471 of Indian Penal Code, section 18 of Narcotic Drugs and Psychotropic Substances Act and section 16 of Unlawful Activities (Prevention) Act., 1967.**
2. **Rajan Chopra @ Rajen Chopra @ Rajan Kumar Chopra @ Rajen Kumar Chopra @ Rajen Kumar @ Rajan Kumar (A-2)) to be charged for offences under sections 489C, 120B of Indian Penal Code, section 18 of Narcotic Drugs and Psychotropic Substances Act and section 16 of Unlawful Activities (Prevention) Act., 1967.**

18.1 The sanction for prosecution under Section 45 (1) (ii) of Unlawful Activities (Prevention) Act, 1967 as amended has been obtained from the competent authority and enclosed.

18.2 All the aforesaid offences have been committed within the jurisdiction of this Hon'ble Court. Hence, this Hon'ble Court has got jurisdiction to try the above offences.

18.3 It is, therefore, prayed that in the light of the averments herein, documents and other materials filed with this Police report u/s 173 Cr.P.C, this Hon'ble court may kindly take cognizance of the offences committed by the accused persons as noted above and take such steps for trial as deemed appropriate.

18.4 Evidences are also forthcoming against other conspirators involved in the supply of the FICN to the accused in this crime. Hence, I pray to your honour to allow NIA to continue with further investigation in connection with the case u/s 173 (8) Cr.P.C. to unearth the greater conspiracy.

19. Dispatched on _____ :

20. No. of enclosures: : As per Annexure A, B & C.

21. List of enclosures :

Annexure-“A” : (List of witnesses)

Annexure-“B” : (List of documents)

Annexure-“C” : (List of Material objects)

**Name: AmalenduDhar
Dy. Superintendent of Police
National Investigation Agency,
Branch office, Kolkata.**

Forwarded by,

**Superintendent of Police
National Investigation Agency,
Branch office, Kolkata.**