

फार्म नं. 1

प्रथम सूचना प्रतिवेदन ( धारा 154 द. प्रक्रिया संहिता के अन्तर्गत )  
FIRST INFORMATION REPORT (Under Sec. 154 Cr.P.C.)

वि.पु.स्था.सी.-II  
S.P.E.C.-II

बुक नं. 1397  
BDO: NC

क्रम सं. 04  
Serial No.

1. जिला : थाना : वर्ष : प्र.सू.प्र.क्र. दिनांक :  
District PS: Year FIR No. Date  
Pune CBI, ACB, Pune 2022 RC PUNE/2022/A/0003 04/05/2022
2. (1) विधान : धाराएं :  
Act IPC Sections 120-B  
(2) विधान P.C.Act, 1988 धाराएं : 7  
As Amended In 2018 Sections  
(3) विधान : धाराएं :  
Act Sections  
(4) अन्य विधान एवं धाराएं :  
Other Acts & Sections
3. (क) प्रतीत अपराध : Demand of Undue advantage  
(a) Suspected Offence  
(ख) दिन : दिनांक समय  
(b) Day Date Time  
(ग) थाने पर सूचना प्राप्त होने का दिनांक 03/05/2022  
(c) Information received at PS Date  
कायमी अपराध : दिनांक समय  
Entry No. Date Time  
05 04/05/2022 14:45 Hrs
4. सूचना का प्रकार : लिखित/मौखिक  
Type of Information Written/Oral  
Written Complaint
5. घटना का स्थान Kothrud, Pune  
Place of Occurrence  
(क) थाने से दिशा व दूरी : South 25 Km  
(a) Direction & Distance from PS

बीट नं. / Beat No.

(ख) पता:  
(b) Address

(ग) घटनास्थल अन्य थाना क्षेत्राधिकार में है तो थाना -  
(c) In case, outside the limit of this Police Station, then

पुलिस थाना का नाम  
Name of PS

जिला  
District

6. अभियोगी / सूचनाकर्ता :  
Complainant / Informant

(क) नाम  
(a) Name Shri Pratapsinh Jagdale

(ख) पिता / पति का नाम  
(b) Father's / Husband's Name Shri Balasaheb Jagdale

(ग) जन्म तिथि  
(c) Date of Birth

(घ) राष्ट्रियता :  
(d) Nationality Indian

(ङ) पासपोर्ट नं. .... जारी दिनांक ..... जारी होने का स्थान .....  
(e) Passport No Date of Issue Palce of Issue

(च) व्यवसाय  
(f) Profession General Manager, M/s. Guardian Homes Pvt. Ltd.  
Pune.

(छ) पता -  
(g) Address R/o- A-1, Bank of India Colony, Panmala, Duttawadi,  
Pune-411030.

7. ज्ञात / संदेही / अज्ञात / आरोपी का पूर्ण विवरण:  
Details of known / suspected / unknown accused with full particulars  
(यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)  
(Attached separate sheet, if necessary)

- (1) Shri Subrata Maity, Interim Resolution Professional (IRP) ,
- (2) NCLT, Mumbai.
- (3) Unknown others.

8. अभियोगी / सूचनाकर्ता द्वारा सूचना दिए जाने में विलंब का कारण :  
Reasons for delay in reporting by the complainant / informant

**No delay**

9. अपहृत / सम्बद्ध सम्पत्ति का पूर्ण विवरण : (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)  
Particulars of properties Stolen (Attach separate sheet, if necessary)

**N.A**

10. अपहृत / सम्बद्ध सम्पत्ति का कुल मूल्य :  
Total value of property stolen

**N.A.**

11. मर्ग / अकाल मृत्यु सूचना क्रमांक :  
Inquest Report / U. D. case No. if any

**N.A.**

12. प्रथम सूचना विवरण :- (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)  
First information contents (Attach separate sheet, if required)

A written complaint dated 03.05.2022 has been received from Shri Pratapsinh Jagdale S/o Balasheb Jagdale, R/o A-1, Bank of India Colony, Panmala, Duttawadi, Pune-411030 regarding demand of undue advantage of Rs.20,00,000/- by Shri Subrata Maity, Interim Resolution Professional (IRP), NCLT, Mumbai for settling the NCLT matter of his company M/s. Guardian Homes Pvt. Ltd., Pune.

The allegations mentioned in the complaint have been verified in presence of independent witnesses. The verification has disclosed the demand of undue advantage by the public servant Shri Subrata Maity, Interim Resolution Professional (IRP), NCLT, Mumbai During the verification, the accused Shri Subrata Maity demanded part payment of Rs.2,00,000/- out of the total demand of Rs.20,00,000/- as undue advantage from the complainant Shri Pratapsinh Jagdale to be delivered to his person at Pune.

The aforesaid facts and circumstances disclose commission of offences punishable Under Section 120-B of IPC and Section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018) on the part of Shri Subrata Maity, Interim Resolution Professional (IRP), NCLT, Mumbai and unknown others.

Hence, a Regular Case has been registered and entrusted to Shri Mukesh Prachand, PI, CBI, ACB, Pune for investigation.

The complaint dated 03.05.2022 of Shri Pratapsinh Jagdale, Verification Report of the Verification Officer & Notification dtd. 04.05.2022 of Govt. of Maharashtra u/s. 6 of DSPE Act, 1946 are enclosed herewith.

13. कार्यवाही जो की गई : चूँकि उपरोक्त विवरण क्रमांक में उल्लिखित धारा (ओ) के अंतर्गत घटने वाले अपराध को उद्घाटित करता है।

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

- (1) मामला पंजीकृत किया गया एवं जांच प्रारम्भ हुआ अथवा  
Registered the case and took up the investigation or

- (2) निर्देशित (जांच अधिकारी का नाम)      रैंक      नं.      जांच हेतु लिया गया  
Directed (Name of IO)      Rank      No.      Took up for  
Registered the case and taken up for investigation.      investigation

- (3) कारण से जांच के नामजूर      अथवा  
Refused investigation due to      or  
Shri Mukesh Prachand      PI: CBI: ACB: PUNE

- (4) पुलिस थाना को स्थानांतरित किया गया      जिला      क्षेत्राधिकार के आधार पर  
Transferred to PS      District      on point of jurisdiction

अभियोगी / सूचनाकर्ता को प्र.सू. पत्र पढ़ाकर / पढ़कर सुनाया गया, जिन्होंने सही-सही अभिलिखित होना स्वाकार किया। इसकी एक प्रति अभियोगी / सूचनाकर्ता को निःशुल्क प्रदान की गई।  
FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

पढ़ कर सुनाया व सही स्वीकृत होना पाया।  
R. O. A. C.

14. अभियोगी / सूचनाकर्ता के हस्ताक्षर  
Signature / Thumb impression  
of the complainant/informant

थाना अधिकारी के हस्ताक्षर  
Signature of Officer in-charge  
Police Station

नाम / Name  
(पद) / Rank

*Signature*  
*04/05/2022*  
**Dr. M. R. KADOLE**  
Supdt. of Police  
Head of Anti Corruption Branch  
CBI: Pune

15. न्यायालय को भेजने का दिनांक एवं समय  
Date and time of despatch to the court

*Signature*  
*04/05/2022*  
(प्रभारी अधिकारी के हस्ताक्षर तारीख सहित)  
Signature of recording officer with date  
**Dr. M. R. KADOLE**  
Supdt. of Police  
Head of Anti Corruption Branch  
CBI: Pune

प्रथम सूचना रिपोर्ट का आइटम 7 लगाएं

Attachment to item 7 of First Information Report

संदिग्ध व्यक्ति की शारीरिक विशेषताएं, विरुपता तथा अन्य विवरण :-

Physical features, deformities and other details of the suspect/accused : (If known / seen)

क्र.सं. Sl. No.	* लिंग (Sex)	* जन्म की तारीख / वर्ष Date / year of Birth	* शारीरिक गठन (Built)	* ऊंचाई से. मी. में (Height) (in Cms)	* वर्ण (Complexion)	* पहचान चिन्ह (Identification Mark/s)
1	2	3	4	5	6	7

विरुपता/विलक्षणता (Deformities peculiarities)	दांत (Teeth)	बाल (Hair)	आँख (Eye)	आदतें (Habits)	पहनावा (Dress habit/s)
8	9	10	11	12	13

भाषा / बोली (Language / Dialect)	स्थान / Palce of				
	जले का निशान (Burn mark)	श्वेत कुष्ठ (Leucoderma)	तिल (Mole)	जखम चिन्ह (Scar)	गोदना (Tattoo)
14	15	16	17	18	19

अभियोगी / सूचनाकर्ता, द्वारा संदिग्ध / अभियुक्त के बारे में एक या अधिक विवरण दिए जाने पर ही इसमें प्रविष्टि की जाए।

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

**Top Secret**



## Government of Maharashtra

Home Department, Second Floor, Mantralaya (Main bldg.),  
Madame Cama Road, Hutatma Rajguru Chowk, Mumbai-400032.

Email ID : home\_pol2@maharashtra.gov.in

No : CBI 1622/C.R. 381/POL-2

Date : 04 May, 2022.

Ref. No : 716/CBI/ACB/Pune, Dated 04/05/2022.

### ORDER

**Delhi Special  
Police  
Establishment  
Act, 1946.**

In pursuance of the provisions of Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No.25 of 1946) and all other powers enabling him in this behalf, the Governor of State of Maharashtra is pleased to accord the consent to the extension of powers and jurisdiction of the members of the Delhi Special Police Establishment in the whole of the State of Maharashtra for investigation of case relating to demand of undue advantage by a Interim Resolution Professional (IRP), NCLT, Mumbai and unknown other(s). The said offence is committed in the State of Maharashtra. It is alleged that the said undue advantage is being demanded by the suspect through his person for settling the NCLT matter of the company M/s. Guardian Homes Pvt. Ltd., Pune. The said acts on part of suspect Interim Resolution Professional (IRP), NCLT, Mumbai and unknown other(s) constitute offence punishable under Section 120-B

of IPC r/w Section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018) as well as any other offence which may come to light during investigation of this case against the said public servant and any other officer/persons.

**By order and in the name of the Governor of Maharashtra,**



**(Kailas Gaikwad)**  
Joint Secretary to Government.

**Copy forwarded for information and necessary action to :**

- (1) Joint Secretary, Department of Personnel & Training,  
Ministry of Personnel, P. G. and Pensions, Government of  
India, North Block, New Delhi - 110 001.
- (2) Director, Central Bureau of Investigation, Plot No 5-B,  
CGO Complex, Lodhi Road, New Delhi-110 003.
- (3) Head of Zone, Central Bureau of Investigation, Mumbai,  
Joint Director, Zone-I, CBI, 13th Floor, Plot No. C-35A, 'G'  
Block, Bandra Kurla Complex (BKC), Near MTNL  
Exchange, Bandra (East), Mumbai 400 098.
- (4) Head of Branch, CBI, ACB, Pune, GPOA, Kendriya Sadan,  
A-Wing, 3rd Floor, Opp. Akurdi Railway Station, Akurdi,  
Pune-411 044.



Date:- 03/05/2022

To,

Head of Branch  
CBI, ACB, Pune.

**Sub.: Verification Report in Complaint dated 03/05/2022.**

Sir,

The subject cited complaint of Shri Pratapsinh Jagdale, S/o Balasaheb Jagdale, R/o Panmala, Sinhgad Road, Pune was assigned to me for necessary action and verification.

The complaint revealed that the complainant working as General Manager of a Real Estate Company, i.e., M/s. Guardian Homes Pvt. Ltd., Pune. It has been alleged in the complaint that a matter regarding dispute in fees between a Financial Consultancy Company i.e. M/s. Apya Capital Services Pvt. Ltd., Bangalore and M/s. Guardian Homes Pvt. Ltd., Pune was going on in NCLT, Mumbai since 2018. Initially, the matter was settled in favour of M/s. Guardian Homes Pvt. Ltd., Pune by NCLT, Mumbai on 03.01.2019. However, the other party M/s. Apya Capital Services Pvt. Ltd., Bangalore filed an appeal before the appellate authority, i.e., NCLAT, Delhi. The appellate authority passed the orders in favour of M/s. Apya Capital Services Pvt. Ltd., Bangalore on 09.12.2020 and the said matter was transferred to the NCLT, Mumbai for further action. Then NCLT passed an order dtd.14.03.2022 and appointed the suspect Shri Subrata Maity as Interim Resolution Professional (IRP) having registration No. IBBI/IPA-001/IP-P00084/2017-2018/11481 to carry the functions as mentioned under the Insolvency & Bankruptcy Code. The said order of NCLT was uploaded on website on 29.04.2022. In the meanwhile, out of court settlement was made between M/s. Guardian Homes Pvt. Ltd. and M/s. Apya Capital Services Pvt. Ltd. on 30.03.2022 and final payment of Rs.3 Crores (plus GST) in this regard was made to M/s. Apya Capital Services Pvt. Ltd. on 31.03.2022.

On 02.05.2022, the suspect Shri Subrata Maity, IRP, NCLT, Mumbai accompanied by Shri Rupesh Chopde, CA came to the office of the complainant located at Opposite City Pride Multiplex, Kothrud, Pune-38 at around 3 pm. and met the complainant. After general discussion, the suspect demanded undue advantage of Rs.20 lakhs in addition to the official fees of Rs.4 lakhs and threatened that he will take coercive action against the company, if the payment is not made.

The verification of the complaint has been conducted on 03/05/2022 in the presence of the independent witnesses. During the verification, the complainant made a call from his mobile number 8380044900 to mobile number 8104617545 of Shri Subrata Maity. During this conversation Shri Subrata Maity said that he will make a whatsapp call on the mobile of the complainant and disconnected the call.







Immediately a whatsapp call from mobile number 9821888984 was received from Shri Subrata Maity on the mobile of the complainant. During this call, the complainant informed that he will get the demand draft of Rs.4 lakhs prepared tomorrow i.e. 04.05.2022 and that he has discussed the issue with the Director of the Company and will make the payment of undue advantage of Rs.2 lakhs or more tomorrow evening. On enquiry by the complainant, Shri Maity informed that he will send his person in Pune along with a token for collecting the demand draft and undue advantage. The said conversations were recorded with the help of Digital Voice Recorder on the micro SD Card. The proceedings of the verification has been recorded separately vide Verification Panchnama dated 03/05/2022.

As per the verification proceedings, it is confirmed that Shri Subrata Maity, Interim Resolution Professional (IRP), NCLT, Mumbai had demanded undue advantage of Rs.20 lakhs from the complainant, as alleged in the complaint and agreed to accept part payment of Rs.2 lakhs through his person. Hence a Regular Case may be registered against Shri Subrata Maity, Interim Resolution Professional (IRP), NCLT, Mumbai and unknown other(s) for offences punishable under Section 120-B of IPC r/w Section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018).

Submitted please.

  
03/05/2022  
**Mukesh Prachand**  
PI, CBI, ACB, Pune



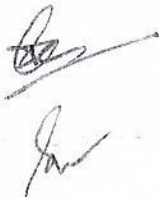
3/5/22

To  
The Head of Branch,  
CBP, AEB, Pune

Subject: Demand of bribe by Shri Subrata  
Maity, Interim Resolution Professional (IRP)  
NCLT, Mumbai.

Sir,  
I, Pralapsinh Jagdale, s/o Balasaheb Jagdale,  
R/o Panwala, Sinhgad Road, Pune is working  
as General Manager of Real Estate Company i.e.  
M/s Guardian Homes Pvt Ltd, Pune.

A matter regarding dispute in fees between a  
Financial Consultancy Company i.e. M/s Apya  
Capital Services Pvt Ltd, Bangalore and M/s  
Guardian Homes Pvt Ltd, Pune was going on in NCLT  
Mumbai since 2018. The matter was settled in  
favour of M/s Guardian Homes Pvt Ltd, Pune by  
NCLT, Mumbai on 03.01.2019. There after, the  
other party M/s Apya Capital Services Pvt Ltd,  
Bangalore filed an appeal before the Appellate  
Authority i.e. NCLAT, Delhi. The Appellate  
Authority passed the orders in favour of M/s  
Apya Capital Services Pvt Ltd, Bangalore on 9/12/20



(PTO)



Pl verify by

r/a

3/5/2022

M. Mahesh, PE

and the said matter was transferred to NCLT, Mumbai for further action. Then NCLT passed an order dated 14/3/22 and appointed Shri Subrata Maity as Interim Resolution Professional (IRP) having registration No. IBBI/IPA-001/IP-P00084/2017-2018/11481 to carry the functions as mentioned under the Insolvency & Bankruptcy Code. The said order of NCLT was uploaded on their website on 29.04.22. In the meanwhile, an out of court settlement was made between M/s Guardian Homes Pvt Ltd and M/s Apya Capital Services Pvt Ltd. on 30.03.2022 and final payment of Rs. 3 Crores (Plus GST) in this regard was made to M/s Apya Capital Services Pvt Ltd. on 31.03.2022.

On 01.05.2022, Shri Subrata Maity called me to inform that he wanted to meet me the next next day in our Pune office at about 3pm. On 02.05.2022, Shri Subrata Maity, IRP accompanied by Shri Rupesh Chopde, CA came to the office of M/s Guardian Homes Pvt Ltd. located near Citypride Multiplex, Kothrud, Pune -







-411638 at around 3pm. They met me there. Shri Subrata Maity discussed the matter regarding the Order of NCLT and further steps to be taken by him. He threatened to immediately get published Notice of Liquidation in Newspapers and also to seige the bank accounts and properties of M/s Guardian Homes Pvt Ltd. and take full control of the company. Thereafter he demanded a bribe of Rs. 20 Lakh in addition to his official fees to avoid all such actions from his side. When I told him about the out of Court settlement and requested for relief, he again threatened me to get the Liquidation Notice published immediately to defame my company. and told that you have to settle the matter with me only. When I specifically asked about the demand of Rs. 20 Lakhs, he told me that it is his convenience fee to let the process sorted normally and without defamation and damage to Company ie M/s Guardian Homes Pvt. Ltd.





I immediately discussed this matter with owner of the company Shri Manish Sabade, Director of M/s Guardian Homes Pvt Ltd on 02.05.2022 and apprised him about the demand of Rs. 20 Lakhs by Shri Subrata Maity, I.R.P. We decided to record the further conversation with Shri Subrata Maity who was still sitting in my office. Thereafter, I again continued my discussion with Shri Subrata Maity and recorded his further conversation in my mobile through the application available in my mobile handset. In further, conversation, which was recorded by me, Shri Subrata Maity again demanded bribe of Rs 20 Lakhs in addition to his official fee (Rs 2 Lakh) and Advocates fees (Rs 2 Lakh) totalling Rs 4 Lakhs to settle the matter. While leaving the office, Shri Subrata Maity, instructed me to again discuss the matter with the company management and revert back to him on his mobile no ~~80~~ 8104617545. Thereafter, myself and Shri Manish Sabade further discussed in this



regard and after discussion, we decided not to pay bribe to Shri Subrata Maity and to file complaint in this regard with CBI.

Thereafter, as instructed by Shri Subrata Maity, IRP, I made a call from my mobile No 8388044900 to the mobile No 8104617945 of Shri Subrata Maity at around 09.30 pm on 02.05.2022 and at 09.00 am on 03.05.2022.

In these conversations, Shri Subrata Maity agreed to accept initial bribe amount of Rs 2 Lakhs to be delivered to his person at Pune to settle the matter and postpone the publication of liquidation notice and other coercive action.

We don't want to give bribe to Shri Subrata Maity, IRP, NCLT, Mumbai.

I am submitting a pendrive containing the above three conversations with Shri Subrata Maity, IRP recorded on my mobile handset along with my complaint.

It is therefore requested that necessary legal action may be taken in this regard.

Rakesh Kumar  
03/05/2022  
Rakesh Kumar  
Income Tax Inspector  
Pune

Your's Sincerely  
03/05/2022  
Pratapsinh Jagdale  
GM - Guardian Homes Pvt Ltd.