

**IN THE COURT OF THE LD. CHIEF METROPOLITAN MAGISTRATE,
PATIALA HOUSE COURTS, NEW DELHI
COMPLAINT CASE NO. _____ / 2019**

In the matter of:

VIVEK DOVAL

... COMPLAINANT

Versus

JAIRAM RAMESH & ORS.

... ACCUSED

**CRIMINAL COMPLAINT UNDER SECTION 200 READ WITH SECTION 199 (1)
OF THE CODE OF CRIMINAL PROCEDURE FOR SUMMONING, TRYING AND
PUNISHING THE ACCUSED PERSONS FOR COMMISSION OF OFFENCES
UNDER SECTION 499 READ WITH SECTION 500 OF THE INDIAN PENAL
CODE, 1860**

Most Respectfully Showeth:

1. That the Complainant herein is a UK National and an Overseas Citizen of India. The Complainant, alongwith one Mr. Amit Sharma, is the Founder-Director of GNY Asia, a hedge fund based out of Cayman Islands (hereinafter referred to as the "**Fund**"). The Complainant, additionally, is the younger son of Sh. Ajit Doval, who is the present National Security Advisor of India.
2. The Complainant herein has been constrained to file the present complaint against the accused persons who have deliberately maligned and defamed the Complainant, seemingly to settle scores with the father of the Complainant. Through calculated insinuations and innuendos raised by way of published articles and press conferences, the accused persons have raised unfounded and baseless allegations against the Complainant, and have caused irreparable damage to his reputation and goodwill that he had earned for himself over years of hard work. Moreover, through the said deliberate insinuations, the accused persons have made grave and serious allegations of money laundering against the Fund, which is a legitimate and ethical business venture of the Complainant, not only without any proof therefor, but being completely aware of the falsity thereof.
3. The entire controversy started with the publication of the article titled "**The D-Companies**" (hereinafter referred to as the "**Article**") by Accused No. 2 in its online journal/publication on January 16, 2019. Initially the Article

was accessible only upon subscription, however as on date the Article is easily accessible on the internet without any subscription. The Article is authored by Accused No. 3 and insinuates various wrongdoings and unlawful actions on part of the Complainant *re* the formation and operation of the Fund, etc. Not only the Complainant, but his elder brother and his companies have also been maligned with clearly reveals that the Complainant has been targeted only by virtue of being the younger son of Sh. Ajit Doval. The Article has been couched in a manner that it raises apprehensions on the ventures of the Complainant and candidly relates the same to the demonetization in the country. The Article did serve its purpose of creating a hue and cry and maligning the reputation of the Complainant and his family. Basis the Article, Accused No. 1 has been holding press conferences (Press Conference) and making irresponsible media statements further maligning the reputation and goodwill of the Complainant as well as the entire Doval family. It is pertinent to emphasize here that Accused No. 1 hold a responsible position in the country being a senior Rajya Sabha member and a former Cabinet Minister to the Government of India. Statements made by such an eminent personality carry immense weight and credibility and are perceived to have been so made with a very high degree of ownership, due diligence and responsibility. The targeted attack by Accused No. 1 on the Complainant, who is a young professional working hard towards building his name and reputation in his professional circles, and who holds no political views or affiliations as such, is highly deplorable, and certainly unbecoming of a man of his stature. The video of the Press Conference has attracted over twenty seven thousand views and the page as on date has received hundreds of comments. The Article, Press Conference and the snippets shared by Accused No. 2 and 3 on social media have garnered huge public attention and have reacted and responded to. Needless to say, the Accused No. 1, 2 and 3 are well aware of the consequences that may ensue and had all the knowledge as well as the reasons to believe that their act shall injure and harm the honour of the Complainant and his family.

A copy of the Article titles "The D-Companies" published in the Caravan Magazine on 16.01.2019 is annexed herewith as **Annexure C-1**.

Video of the Press Conference held by Accused No. 1 on 17.01.2019 has been downloaded from the internet and is being annexed with the present Complaint in a pen drive as **Annexure C-2**.

The highlights of the Press Conference and the other material as has been uploaded on the website of the Indian National Congress is annexed herewith as **Annexure C-3**.

Print outs of the reactions and responses on the social media to the Article, Press Conference by Accused No. 1 and the snippets shared by Accused No. 2 and 3 are annexed herewith as **Annexure C-4 (Colly)**.

4. The entire premise of the Article and the Press Conference is the linking of the venture of the Complainant with the demonetization of Rs. 500 and Rs. 1000 currency notes in India in the year 2016. The only basis of the allegation is proximity in time of the launch of the Fund with the announcement of demonetization. The allegation is completely baseless and the true facts could have been known by the Accused Persons upon a prima facie due diligence. However, before advertizing to the falsity of the allegations made by the accused persons against the Complainant using insinuations and innuendoes, it is essential that this Hon'ble Court is presented with a brief narrative on the executive profile of the Complainant, the formation and operation of the Fund; in an endeavor to sufficiently and amply bring to fore the true factual position. The same, by itself clarifies that the insinuations made in the Article and subsequent Press Conference have no iota of truth and contrary to the claims, have in-fact been made without any due-diligence and with definite knowledge of their falsity and baselessness.

4.1 **Executive Profile of the Complainant:**

The Complainant herein is a highly meritorious professional having pursued his education from the most reputed and internationally acclaimed educational institutions/Universities. The Complainant bears the following qualifications:

- (i) B.Sc Economics (Hons.) from the London School of Economics (LSE) in 1999;
- (ii) MSc Economics (Specialisation: International & Monetary Economics) from LSE in 2001;
- (iii) CFA from CFA Institute, Charlottesville, USA in 2006 and was awarded Charter;
- (iv) CAIA from CAIA Institute, Charlottesville, USA in 2010 and was awarded a Charter;
- (v) Program for Leadership Development, Executive MBA from the Harvard Business School, Boston, USA. In 2014.

Besides being a meritorious student, the Complainant has also established himself as a reputed professional; having worked with the top investment management companies and funds in Singapore and UK. The employment history of the Complainant is as under:

Tenure	Designation	Company	Average Salary
2001-2003	Junior Strategist- European Equity Strategy	Bear Stearns, European Equity Research, London, UK	INR 2,69,000/- per month;
2003-2005	Research Associate- European Technology (Semiconductors & IT Services) & Capital Goods	Bear Stearns, European Equity Research, London, UK	INR 3,26,000/- per month;
2005-2007	Analyst- European technology (telecom Equipment) Research	Credit Suisse, European Equity Research, London, UK	INR 6,93,788/- per month;
2007-2012	Investment Analyst/Assistant Fund Manager - Pacific Fund	Boyer Allan Investment Management LLP, London, UK	INR 11,85,153/- per month;
2012-2016	Fund Manager, Asia Pacific Fund	British Airways Pension Investment Management Fund, London, UK	INR 11,66,232/- per month;

The employment history of the Complainant clearly reflects that the Complainant has never used his family's contacts for deriving any benefits whatsoever either for education in premier institutes or for employment. A testimony to the soundness of the credentials of the Complainant is the fact that when the Complainant decided to launch the Fund, the initial investors who agreed to invest in the Fund were actually his friends, peers and ex-employers, who knew and trusted him, his merits and his caliber.

A brief resume of the Complainant is annexed with this Complaint as **Annexure C-5**.

4.2 **Conception of the idea to launch the Fund:**

It is of utmost significance that the Complainant herein narrates the timelines and the manner in which the idea of launching the Fund was conceived and how the Fund was subsequently launched. The timelines

are essential and would indicate that the demonetization announcement and the launch of the Fund, though closely proximate in time, are two completely independent events, none being related to other, even remotely.

- (i) The Fund is co-founded by the Complainant and one Amit Sharma; who hold a B. Tech. (Electronics) degree from the esteemed Indian Institute of Technology as well as an MBA degree from INSEAD. The Complainant and Amit Sharma have been colleagues since 2004 when the Complainant worked at Bear Stearns and Amit Sharma worked at Deutsche Bank, both working as Semi-Conductor Companies' analysts in Equity Research.
- (ii) Thereafter, when the Complainant was working at Boyer Allan in 2007, Amit Sharma was the equity salesperson advising the Complainant from Macquaire Securities in London. Given his strong professional background previously at Deutsche Bank, Amit Sharma offered investment advise to the Complainant, which helped the Complainant in his investment work at Boyer Allan. The same continued when the Complainant became the fund manager at British Airways Pension Investment Management Limited in 2012.
- (iii) By the close of 2015, the Complainant had achieved a few years of outperformance in managing a USD 2 billion Asia Pacific fund at British Airways Pension Investment Management Limited, and thus, the Complainant deemed it appropriate to make a move and venture into something entrepreneurial.
- (iv) Whilst it was at this point in time that substantial developments in respect of the shared vision of the Complainant and Amit Sharma started taking place, it is pertinent to note that the two had been discussing propositions of partnering with each other and doing something together, for a long time. The seeds for the Fund were first sown in January 2012 when the Complainant and Amit Sharma, in the post-closure period of Boyer Allen, discussed the possibility of forming an investment company/ fund at some point in the future and managing it together. Ever since this discussion, they met over coffee on a weekly basis (mostly scheduling a 7am meeting on Sundays at Costa Coffee, West Hampstead), and discussed various ideas they had for taking their plans forward.
- (v) To this end, the Complainant and Amit Sharma incorporated a company called Vivam Hold Co Ltd. in October 2013, deriving the name of the company from the initial alphabets of their respective

first names. It is apposite to mention here that the said company was registered to the residential address of the Complainant, which at that time was in Hampstead, London, UK. However, for multiple factors like the lack of funds and the financial insecurities in their personal lives at the time, the company remained a non-starter. Regardless, the will to actually go ahead with their own venture kept them together. A copy of the certificate of incorporation of Vivam Hold Co. Ltd. dated 28.10.2013 is annexed herewith and marked as **Annexure C-6.**

- (vi) As stated above, by the close of 2015, the Complainant and Amit Sharma, once again started working on their plans and exploring the setting up of a fund as they had envisioned. By November 2015, they had met with various service providers, including an initial meeting with Gordian Capital at Singapore. They also started looking for prospective investors.
- (vii) However, considering their existing professional commitments, the progress in respect of the setting up of the fund was slow. Realising the impediments being presented by such commitments, going forward, in April 2016, Amit Sharma quit his job at Macquaire Securities in London and plunged into the process of setting up the fund; whilst the Complainant continued his job at British Airways Pension, funding the costs of the fund creation, by his professional earnings.
- (viii) It is then, in the period between April and August of 2016, that the process finally gained the desired pace and things started materializing. The most important development in this period was the coming on board of Mr. Mohammed Althaf of the Lulu Group – an old friend of the Complainant, and a professional with an impeccable record – with the promise of a substantial investment for the Fund which ensured that the fund was ready to be launched.
- (ix) Since the decision to launch the Fund was taken, the Complainant and Amit Sharma now started working towards the modalities for launching the Fund. In light of the developments and for furtherance of the work of the Fund, the Complainant as well resigned from his job at this point, to take on and execute his responsibilities in the Fund full time and with full vigour.
- (x) One of the first decisions to be taken at this stage was the jurisdiction/market in which the Fund would invest. Based on their

past experience of working at the top asset management companies and funds across the globe, the Complainant and Amit Sharma jointly took a decision to focus in Asia and invest across major economies in the continent especially China, Hongkong, Taiwan, Korea, ASEAN countries and India. The step forward thus added to the development of the name of the Fund, which now was appropriately decided to be called GNY Asia Fund.

- (xi) Further to the decision to have Asia as the primary operations market for the Fund, Singapore, being a central location having connectivity with the target countries of the Fund, was selected as the jurisdiction from where the Fund would be managed. With these initial plans/decisions in place, action thereafter was taken in accordance.

4.3 **Formation of the Fund:**

It was crucial for progressing further that the Complainant and Amit Sharma get the needed service providers on board. The following paragraphs demonstrate how various service providers contributed towards the materialization, formation and the subsequent operation of the Fund:

- (i) Gordian Capital Singapore Pvt. Ltd.: Initially the Complainant and Amit Sharma explored the possibility of formation of an asset management company in Singapore. However, since it seemed to be an expensive affair, especially for a start-up fund with very limited cash flows, the Complainant and Amit Sharma opted for an Investment Management Platform called Gordian Capital after having conducted their due diligence. Gordian Capital is an Investment Management Company and is Asia's leading fund management platform providing investment management services – fund establishment, operation management and fund structure. Gordian Capital hold a Capital Markets Service License for fund management from the Monetary Authority of Singapore. Gordian Capital provides all back-office and middle office functions for the Fund so that the investment management team of the Fund concentrates only on the research and due diligence process of making the investment decisions. Mark Voumard, founder of Gordian Capital and Paul Culberthson, Head of Compliance at Gordian Capital are witness to the negotiations and talks between the Complainant and Amit Sharma and Gordian Capital to avail the services of Gordian Capital as an investment management platform.

Copies of emails indicating that Gordian Capital was approached as long back as October, 2015 to explore hiring its services as an investment management platform for the Fund and correspondence with Mark Voumard at Gordian Capital are annexed herewith and marked as **Annexure C-7**.

On October 24, 2016 a Memorandum of Understanding was entered into between Gordian Capital on one side and Vivek Doval and Amit Sharma on another wherein it was mutually agreed that:

- (a) Gordian Capital shall be the investment manager of GNY Asia Fund and shall assist the Fund with structuring, operations, marketing and investor relations support, employment of and service offering to two Portfolio Managers
- (b) Operational responsibility for the Fund shall vest with Gordian Capital
- (c) For the housing of two Portfolio Managers, provision of Fund and other related services, Gordian will receive a fee based on sliding scale. The fees shall be separate from the salary or other payments that may be made to investment professionals.
- (d) Vivek Doval and Amit Sharma, pursuant to employment contracts, will join Gordian Capital as Portfolio Managers and will receive a share of the management fees.

A copy of the MoU dated 24.10.2016 is annexed herewith and marked as **Annexure C-8**.

Subsequent to the incorporation of the Fund at Cayman Islands on 19.09.2016, an Investment Management Agreement was executed between Gordian Capital and the Fund on 02.11.2016, a copy whereof is annexed herewith as **Annexure C-9**.

- (ii) Cayman Islands as Fund Domicile: Based on the recommendation by Gordian Capital, the Complainant and Amit Sharma decided to domicile the Fund at Cayman Islands. Cayman Islands is part of the British overseas territory; and the Complainant is a UK citizen. Cayman Islands, as a matter of fact is the most popular destination for global hedge funds and to the knowledge of the Complainant as many as some 11,000 hedge funds are listed there, which accounts for over 60% of all the assets in the hedge fund industry. The Cayman Islands is the leading domicile for investment funds, attracting 80% of all new offshore fund formations. Cayman is estimated to house more than 75% of the world's offshore hedge funds and nearly half of the industry's estimated US\$1.1 trillion of assets under management as per Connyers, Dill and Pearlman (Ref. <https://www.conyersdill.com/legal-services/investment-funds/cayman->

[islands-investment-funds/](#) visited on January 18,2019). In addition, Cayman Islands was relatively cheap and efficient jurisdiction in setting up a hedge fund.

Research indicates that atleast 366 of the Fortune 500 companies have subsidiaries in Cayman Islands. Goldman Sachs has the largest presence in Cayman Islands with 511 subsidiaries registered there. Besides this, even Pepsi, Mariott and Pfizer are registered in Cayman Islands. Copies of the Articles indicative of the aforesaid facts is annexed herewith as **Annexure C-10 (Colly)**.

- (iii) The need for the Complainant to shift bases: As regards the location of the Complainant and Amit Sharma (key protagonists of the Fund) is concerned, it was decided that the Complainant shall move to Singapore to work at Gordian Capital and Amit Sharma would stay in London, he being more settled in London. Since the Complainant and Amit Sharma were working on a shoe string budget, the Complainant moved his family to Delhi while he stayed in Singapore in a one BHK flat admeasuring 350 - 400 sq. ft. approximately.
- (iv) GNY Capital Limited: Gordian Capital was based in Singapore and Amit Sharma was more settled in London. So as to enable Amit Sharma to work for the Fund from London, Vivam Hold Co. Ltd was brought into action and its name was changed from Vivam Hold Co. Ltd. to GNY Capital Limited on 26.09.2016. It was agreed and decided that GNY Capital shall provide advisory services to the Fund, assisting the Fund in making investment decisions etc. GNY Capital Limited, was regulated by the FCA (Financial Conduct Authority) by an umbrella cover provided by StoneWare Capital, a company providing hedge fund management services. Considering the shift of the Complainant to Singapore, and with getting new Accountants on board to help manage the affairs of GNY Capital in respect of regulatory compliances, filings, etc., the registered address of the company, earlier the residential address of the Complainant, was shifted to the official address of the accountants.
- (v) DMS: The applicable laws required an independent member to be on the Board of the Fund. Gordian Capital recommended a company called Director Management Services (“DMS”) which could provide the Fund an independent director besides providing services *re* board meeting organization and maintaining the minutes of the Board Meetings. Based on the Gordian Capital’s reference and a meeting with DMS, DMS was hired for providing an independent director and for board secretarial

functions. Mr. Don W Ebanks was then nominated by DMS to be an independent director on the Board of the Fund.

Email exchanged between Gordian Capital, the Complainant and Amit Sharma re engaging the services of DMS are annexed herewith and marked as **Annexure C-11**.

A copy of the profile of Don W EBanks, as was provided by DMS to the Complainant and Amit Sharma, is annexed herewith as **Annexure C12-**.

- (vi) Walkers Global: The reputed international law firm was appointed to provide legal services to the Fund including preparation of all documentation required for the incorporation of the Fund. Walkers Global formulated the Investment Memorandum (IM), Prospectus and Subscriber Document for the Fund (“Fund Documents”) within a time-span of 2-3 months. Upon completion of all documents, the Fund was registered as an exempted limited liability company under the provisions of the Companies Law (as amended) of the Cayman Islands on 14.09.2016.
- (vii) Other Service Providers: Nomura International was chosen as the prime broker for the Fund while Wells Fargo International (now called the SS&C) was chosen as the administrator. DBS Bank of Singapore was selected for banking services to the Fund while Price Waterhouse Coopers (PWC) was chosen as the auditor of the Fund. It is clear that only the most reputed and proficient service providers were gotten on board by the Fund. It is also pertinent to emphasize here that most of the service providers adopt the strictest of KYC norms and are known for their compliance records.
- (viii) Constitution of Board: The Board of the Fund comprised of:
- (a) The Complainant was made a Board Member as he was based out of Singapore where the investment manager was also located.
 - (b) Mohammed Althaf was also taken as a member of the Board being a shareholder of the Fund and had impeccable professional credentials.
 - (c) Independent director nominated by DMS, Don W Ebanks.
- (ix) On-boarding the Investors: Upon the finalization of the Fund Documents, the Complainant and Amit Sharma met all major investors and took them through filing the subscription documents. It was a very tedious and time consuming exercise as the investors had to give a lot of details about themselves including their addresses, business, bank account details etc.

and a number of undertakings such as under the Foreign Account Tax Compliance Account Act, 2006 of the United States of America. Based on all the information provided, KYC checks were then undertaken by Gordian Capital, Nomura International, Wells Fargo and DBS on the clients. The investors and their sources of income were thus vetted by multiple service providers of international repute and impeccable integrity. This entire process is called as on-boarding and would have lasted over 2 months.

(x) Investor Details: A number of other potential investors were contacted; however since it was a start-up, a very small number of people showed their willingness to participate in the fund as investors. The people who showed their interest in the start-up fund were people who knew the Complainant or Amit Sharma as friends, colleagues or employees and had faith in their competence and abilities. The investors who subscribed to the Fund were as follows:

(a) **The Complainant and Amit Sharma;**

(b) **Mohammed Althaf & family**: Mr Althaf M M is Director of Lulu Group International, a highly diversified retail entity with operations spanning a vast geographical landscape and headquartered in Abu Dhabi. The group is spearheaded by the retail division Lulu hypermarkets, which is a true follower of ethical business practices and the development of the community. He is a Director of The Y International (UK) Ltd; a Birmingham based consolidation and Exports Company and also Director of INKEL, an innovative Public Private Partnership (PPP) initiative, which brings together Government Agencies and prominent global investors and NRI industrialists and businessmen in India and the Middle East. He holds a Masters degree in Law from University of Delhi and an intellectual property rights qualification from WIPO Geneva. He is based in Doha, Qatar. The Complainant has known him since his stay in London.

(c) **Nicholas Allan**: Nicholas Allan was Managing Partner of Boyer Allan Investment Management LLP, a specialist Asian fund management company and prior to setting up Boyer Allan Investment Management in 1998, had senior roles with Kleinwort Benson, in London, New York, Tokyo and Hong Kong. Nicholas brings the board a range of fund-raising and commercial insights alongside his financial expertise and experience. He is also a trustee of Families

for Children, a West Country adoption agency, and of Sir Ernest Cassel Educational Trust. Nicholas Allen was the Complainant's senior at Boyer Allan.

- (d) **Syed Ali Abbas:** Senior ex-banker at Morgan Stanley and ABN Amro and a friend of the Complainant since 2000. Currently, Senior Managing Director at Torch Financial Services.
- (e) **Kumar Neeraj:** Executive in British Petroleum, BP and a friend of Amit Sharma from his INSEAD days.

The following are the details of the investments of the investors in the Fund:

Name	Investments (USD)	% investment
Vivek Doval	300,000	2.7%
Amit Sharma	200,000	1.8%
Mohammed Althaf and family	10,100,000	91.0%
Nick Allan	250,000	2.3%
Syed Ali Abbas	100,000	0.9%
Kumar Neeraj	150,000	1.4%
Total	11,100,000	100.0%

PS: Depending upon everyone's capacities this was the seed fund given by colleagues and friends which they in their judgement were willing to risk in a start-up venture.

- (xi) Upon completion of all documentation, the Fund documents were filed with the Cayman Islands Monetary Authority (CIMA) at Cayman Islands and the Fund was registered in Cayman Islands under the Mutual Funds Law (2015 Revision) on 21.11.2016. The Fund was then launched in December, 2016. The ideal launch date was fixed in Sept/October 2016 but it took longer to launch the Fund owing to coordination among various players working towards the objective.

A copy of the Certificate of Registration issued by CIMA dated 21.11.2016 is annexed herewith and marked as **Annexure C-13**.

- (xii) Subsequent to the launch of Fund, an Investment Advisory Agreement was entered into between GNY Asia Fund and GNY Capital Limited on 27.12.2016 thereby appointing GNY Capital as the Investment Advisor to the Fund and subject to overall supervision, direction and control of the Investment Manager, i.e., Gordian Capital.

A copy of the Investment Advisory Agreement dated 27.12.2106 is annexed herewith and marked as **Annexure C-14**.

For the convenience of the Hon'ble Court, the timelines for the Fund formation and launch are tabulated as under:

28.10.2013	Incorporation of Vivam Hold Co. in London with Complainant and Amit Sharma Directors.
31.03.2016	Amit Sharma resigned from Macquarie but would be employed till 1 st week Aug 2016 (Gardening leave)
21.07.2016	Amit Sharma wrote an email to Mark Voumard (Gordian Capital) asking for Sep/Oct 2016 launch – follow-up from a meeting on 3 rd Nov 2015
08.08.2016	Trip to Singapore by Amit Sharma and Complainant – Met with Gordian Capital, Swiss Asia, Morgan Stanley, CSFB PB, Wells Fargo
10.08.2016	Received First proposal from Gordian Capital
12.08.2016	Met with Tom Granger, Partner, Walkers Global Singapore to engage them for legal advisory for the Fund
13.08.2016	Email from Mark Voumard at Gordian Capital with revised MOU post another meeting with Gordian Capital
15.08.2016	Gordian Capital introduced the Complainant and Amit Sharma to Nomura International, largest Japanese Investment Bank
17.08.2016	Presentation to Morgan Stanley PB (Stella Jaegar) for approval of Prime Broker
22.08.2016	Amit email to Mark, Gordian Capital asking him to go ahead with the Fund launch.
29.08.2016	Engagement letter with Walker Global signed by Amit Sharma followed by a retainer payment of USD 7500 on 01.09.2016
07.09.2016	Wells Fargo International was finalized as the Administrator for the Fund
10.09.2016	First draft of Project Portfolio Management received from Gordian Capital
14.09.2016	Incorporation of GNY Asia as a limited liability company at Cayman Islands.
26.09.2016	Name of Vivam Hold Co. Limited was changed to GNY Capital
28.09.2016	Received approval from Nomura International for them to be the Fund's Prime Broker

24.10.2016	Execution of MoU between Gordian Capital and Vivek Doval and Ami Sharma wherein Gordian Capital in principle agreed to be the Investment manager for the Fund.
02.11.2016	An Investment Management Agreement was executed between Gordian Capital and the Fund appointing Gordian Capital as the Investment Manager.
11.11.2016	DBS receives hardcopy of all documents. They normally take 2-3 weeks before the account opens.
17.11.2016	Final version of PPM and docs
18.11.2016	Started FPI onboarding process with Edelweiss
17.11.2016 – 15.12.2016	Completed Subscription docs from investors and receipts of monies
21.11.2016	Registration of the Fund at Cayman Islands and issuance of certificate by CIMA
16.12.2016	Fund launch
21.12.2016	GNV Asia Fund obtains certificate of registration from SEBI as an FPI (Foreign Portfolio Investor)
27.12.2016	Investment Advisory Agreement between Fund and GNY Capital Limited

4.4 **Operation of the Fund in India:**

- (i) The Fund was a pan Asia Fund and wanted to invest across Asia including India. However the Fund encountered two major issues for its operations in India – firstly, the Prime Broker Nomura had no bandwidth to provide prime brokerage services in India; and secondly, each overseas fund, needed an FPI (Foreign Portfolio Investor) License in India as per the SEBI (FII) Regulations, 1995 and the SEBI (FPI) Regulations 2014.
- (ii) The Complainant, to resolve the situation and in an endeavor to launch the Fund in India, approached Edelweiss Securities and their representative from Custody Services Mr. Anand Singh confirmed that GNY Asia Fund can be given an FPI (Foreign Portfolio Investment) License subject to RBI Regulations and Edelweiss KYC. Accordingly, all documentation in respect of the Fund was made available to Edelweiss.
- (iii) Upon scrutiny, the Complainant was informed by Edelweiss Custodial Services Limited that the Fund is not a broad based fund

since it neither has 20 or more shareholders; nor does any shareholder have any predominant stake in the Fund as prescribed under Regulation 5 of SEBI (Foreign Portfolio Investors) Regulations, 2014. However, RBI did allow start-up funds to get an FPI License and trade in Indian securities, provided the Fund can become broad based within a grace period of 6 months.

- (iv) The Fund was thus issued a conditional registration FPI License under category II on 21.12.2016 by Edelweiss Custodial Services Pvt. Ltd, a Designated Depository Participant. Pursuant to the grant of conditional registration, the Fund started carrying out trading in Indian securities. However, even with the six-month period, the Fund could not get the necessary investors on board, and thus could not become broad based. The license accordingly expired on 18.06.2017 i.e. upon the conclusion of the six-month grace period as provided under the SEBI Regulations.

Copies of the Certificate of Registration dated 21.12.2016 and the letter issued by Edelweiss Custodial Services Limited are annexed herewith and marked as **Annexure C- 15(Colly)**.

- (v) While the license expired on 18.06.2017, where after the Fund could not take new positions in Indian securities; it did not immediately impact the status of the holdings with the Fund. The Fund had some further period of time to make an exit from the Indian market. It is finally on 18.08.2017 that the Fund, failing to find new investors, or to broad base itself, was compelled to wrap up its operations and make an exit from the Indian market. All relevant taxes were paid to the Indian authorities on gains made by the Fund in India. The Fund's investment in India at its peak was approximately USD 2 million, which is around 18% of the total value of the Fund.
- (vi) It is pertinent to mention that since the Fund was a start-up fund with a very limited budget, the Complainant herein took help from his elder brother *re* utilization of office space, hiring of outsourced resources in Noida, etc. A Facility Management Agreement was thus entered into between GNY Asia Fund and Zeus Strategic Management Advisors Pvt. Ltd. for availing certain facilities against adequate payments by the Fund. Annexure I to the Agreement lists down the services that were availed including the use of office space and Annexure II to the Agreement lays down the Service fees and Charges to be paid thereof.

A copy of the Facility Management Agreement dated 12.12.2016 is annexed herewith and marked as **Annexure C-16**.

5. Distorting all facts as narrated above and without conducting any due diligence/inquiries from the relevant quarters, the accused persons, with ulterior motives and with a *mala fide* intent to demean and defame the Complainant and his family, publically made various grave allegations using falsified and baseless insinuations and innuendoes, thereby causing irreparable harm to the reputation and goodwill of the Complainant and his family, both in India and abroad.
6. A bird's eye view of the developments indicate a malicious, deliberate, targeted and calculated attack by the accused persons on the Complainant and his family, seeking to completely destroy the decades of repute and goodwill earned by the family. A web of conjectures and surmises has been devised by selective and careful nitpicking of random facts in respect of the Complainant, his brother and his father – the facts being completely unrelated to one another – and presenting them in a manner that hints at deep rooted conspiracies between the family members, in carrying out laundering of black money, by rerouting of funds into India through the Cayman Islands, in the post-demonetization era. While there may be no explicit allegation so worded or phrased, to that extent, a number of questions to that effect have been raised, insinuating and imputing such wrongdoings, which leaves the public with a certain negative perception of the actions of the Complainant and his family members, which perception was the anticipated and calculated reaction that the very questions, insinuations and imputations were aimed at.
7. The following sequence of events demonstrates the mala fide intent of the the accused persons to intentionally target the Complainant:
 - (i) On 16.01.2019, the Accused No. 2 published the Article in its online journal/publication, narrating completely baseless and unfounded facts, placed together in a calculated manner, to raise grave insinuations and render an image to the reader of wrong doings on part of the Complainant.
 - (ii) The Article was uploaded on the website of Accused No. 2, i.e. <https://caravanmagazine.in/> and was available as the highlight story, on the very home page of the website itself, along with images of the Complainant, his brother and his father. The description/title

along with the images read: “*The D-Companies - Ajit Doval’s sons run a web of companies including a Cayman Islands hedge fund even as father demands crackdown on tax havens*”. The link provided on the home page leads to the full Article, which was made available at <https://caravanmagazine.in/business/ajit-doval-sons-cayman-islands-hedge-fund-vivek-shaurya>. The title of the Article was framed in a concerted effort to grab immediate attention of the viewers being indicative of a breaking story.

- (iii) The Article was circulated to all the subscribers of the magazine published by Accused No. 2, in their email accounts.
- (iv) Soon after the publishing of the Article and the circulation to the subscribers via email, the Accused No. 2 also put the same out on various social media platforms with targeted/pointed snippets as captions, to catch the attention of the social media population. The snippets were also selected so as to directly mar the reputation of the Complainant and his family, in an attempt to diminish the high respect that the family commands in the society.
- (v) Once out on the social media platforms, various political parties, taking advantage of the Article and the baseless allegations leveled therein, promptly politicized the issue, leveling serious and grave allegations against the Complainant and his family members, in order to gain political credit and advantage in this highly charged up election season. Overnight, the reputation and respect that the Complainant and his family worked decades to earn, was blemished and tarnished, beyond repair. The losses caused are so immense that no amount of compensation will ever be able to make up for it.
- (vi) On 17.01.2019, the immediate next day of the publication of the Article, Accused No. 1 held a Press Conference reiterating the baseless and unfounded facts as narrated in the article and concocting a story while making insinuation and innuendoes. The narration, tone and tenor of the Press Conference went beyond the mere narration in the Article. It appears that the some vague research that may or may not have been conducted by Accused No. 3 for the Article was made available to the Accused No. 1; or that Accused No. 1 was already geared and armed with the research to launch such an attack, merely waiting for the publication of the Article, which could then provide a smokescreen to the otherwise

targeted and deliberate attack on the reputation of the Complainant and his family.

- (vii) Further to the press conference, the Indian National Congress party also uploaded on its official website the transcript of the press address by Accused No. 1, the entire video recording of the press address, and various other documents comprising of the financial statements of GNY Capital Limited, information about Gordian Capital and other documents. The web-link for the uploads is: <https://www.inc.in/en/media/press-releases/suspicious-fdi-influx-from-tax-havens-shri-jairam-ramesh-highlights-of-the-press-briefing-along-with-annexures> (visited on January 18, 2019 at 10.16 p.m.).

Till date, the Article and the transcript and the video have garnered crores in audience via various means, including television, newspaper reporting, online viewership, social media apps, etc. Ever since the publication of the Article, the Complainant has been flooded with oral and telephonic inquiries from a large number of persons, who were trying to find out the correctness of the allegations and showing their dismay over such alleged role. Some persons, buying into the insinuations, even expressed their anguish, and blamed the Complainant to have forever blemished the name and goodwill of his family, by his wrongdoings in respect of his business venture. It is thus clear to the Complainant that due to the *mala fide* and ill intended actions of the accused persons, the reputation of the Complainant and his family was forever marred.

8. It is most humbly and respectfully submitted that the intention to maliciously defame the Complainant and his family members is writ large on the face of the Article and the ensuing developments. The contents of the Article present no illegality on part of the Complainant, or on part of his business ventures; however, the entire narration has been presented in a manner, which would suggest to the readers wrongdoings, while making grave insinuations thereof, without actually making any such accusations/allegations. The above averment finds substantiation in the reactions of the general public to the Article, which is precisely what the Article intended to achieve. The very arrangement of the paragraphs and the interspersions of random paragraphs, has been done with the very purpose of confusing the reader and leaving him with the belief that there is a larger conspiracy at play, being spearheaded by the Complainant.

9. Even otherwise, the posts put out by the social media handles being operated and managed by the Accused No. 2 further clarifies its intent, which is nothing more than creating hype amongst the general public. The 'tweets' put out by the twitter handle of Accused No. 2, which give snippets from the article, or conclusions and observations on the facts narrated therein, makes it clear that the Article is merely a targeted attempt to malign and tarnish the reputation of the Complainant and his family, in an endeavor to gain political credit in light of the upcoming general elections.
10. The Article has been used as a political tool to foster in unscrupulous hands to seek vendetta and wreak vengeance. An analysis of the Article suggests that the Accused No. 3 has purposely and with *mala fide* intent, scripted the article in a manner that the average reader will perceive the facts narrated therein, only in a certain tainted colour. The title of the Article itself is scandalous to say the least. The Accused No. 2 and 3, with a *mala fide* intent, titled the Article as "**The D-Companies**" creating a prejudice in the minds of the readers against the Complainant and his family. It is well-known and of which judicial notice can be taken by this Hon'ble Court, that D Company is a reference often given to one of the India's most wanted criminal Dawood Ibrahim. A similar reference to the Complainant's business set up smacks *mala fide* and is a clear reflection on the *mala fide* intent of the accused persons.
11. Moreover, while Accused No. 3 claims to have accessed numerous documents, there are crucial pieces of information that is conveniently claimed to not be accessible to the author. The true facts of the matter, that is the history and background of the Complainant and his business ventures, as have been sufficiently detailed above, amply evidence that the author has deliberately and selectively left out or claimed certain vital pieces of information as inaccessible, which would otherwise bring to the fore the legality and propriety of the business venture of the Complainant. The same has enabled Accused No. 3 to present a narration that is appealing to the conscience of the average reader, while swaying away from the truth of the matter. A few instances of such key details are as follows:
 - (i) The very act of setting up and launching of a hedge fund, whether in the Cayman Islands or any other place in the world, is not by itself an illegal and unlawful act. However, the same, even without explicitly so stating, has been portrayed in a manner that leads to the very setting up and launching of the hedge fund being perceived

as an unlawful act. Further, it is evident from the contents of the foregoing paragraphs that Cayman Islands was chosen as the domicile of the Fund, upon recommendation of the service providers. It is also pertinent to emphasize that Cayman Islands is associated with black money in India, however, it is not so perceived in developed global financial centers. Cayman Islands is a leading domicile for investment funds housing 11,000 hedge funds and 60% of all assets of the global hedge fund industry estimated at USD 1 trillion. It attracts 80% of all new offshore fund formations and houses more than 75% of the industry. Fund formation is a box standard procedure for all funds, and the GNY Asia Fund was no different. It has already been narrated in the paragraphs earlier and more than 60% of the Fortune 500 companies are registered in Cayman Islands.

- (ii) Further, Accused No. 3, being a reputed author and reporter, can be reasonably expected to know and understand that a hedge fund cannot be set up overnight, or in a matter of days. There are months, and at times years of planning and preparatory works, including preparation of a business model, acquiring regulatory compliances, consulting and negotiating with service providers, initiating talks with prospective investors, etc., that go into the setting up of a hedge fund and which are pre-requisite to the launch. As has been clarified in the foregoing paragraphs, even in the present case, the work for setting up of the Fund had been initiated months prior to the demonetization announcement, and the final launch of the Fund landing up in the proximity of the demonetization announcement was a mere coincidence arising on account of a number of unforeseen circumstances.
- (iii) Even if Accused No. 3 was not aware, owing to the subject matter of the Article that was being authored by him, there was an implicit duty of care upon him to look into such aspects before drawing vague and unscrupulous theories and presenting them to the masses as the truth. In the absence of any evidence suggesting such a relation, insinuating such a relationship between the two events is a purported, ill-intended attack on the impeccable reputation of the Complainant and his family. Freedom of press cannot, by any stretch of imagination, cannot be tool to casually make remarks and defame an individual.

- (iv) The insinuations regarding the rerouting of black money from Cayman Islands by the Fund or its alleged links to the sudden jump in the FDI received in India from Cayman Islands post the demonetization announcement holds no substance whatsoever. It is amply clear that the Fund has only seven investors, all of whom are professionals and based out of India. The total corpus of the Fund is merely USD 11 million (Rs. 77 crores), with one investor being a contributor of over 90% of the investment pool (Rs. 70 crores). The investments received has undergone strict scrutiny by multiple service providers and is compliant with the strictest of KYC norms. Further the investors have all complied with FATCA regulations. It is pertinent to note that none of these investors are based in India, and no part of the investment in the Fund was raised in India. The maximum investment that was made in the Indian market was at no point more than USD 2 million (Rs. 14 crores), i.e. 15% of the Fund. Even this money exited the Indian market in August 2017 when the Fund exited the market on account of the expiry of its FPI license. The said facts make it starkly evident that the allegations leveled against the Complainant and the operation of the Fund in India are completely baseless and have been so leveled only to tarnish the image of the Complainant and consequently his family.
- (v) The Fund, while and for the period it was operating in India was fully compliant with Indian laws including the regulations promulgated by SEBI and RBI. Any allegations to the contrary are completely false and have only been deliberately leveled to further hype the entire concoction.
- (vi) The insinuations and imputations regarding personnel related to the Fund being named in the Panama Papers or the Paradise Papers are completely ill intended and to sway the common masses in believing that the business venture is involved in some sort of illegal activity. It must be mentioned that the registration of a fund in the Cayman Islands requires a local director to be named. Firms like DMS Services provide services to all funds, to help them meet such requirements. As narrated in the foregoing paragraphs, DMS Services was hired by the Complainant for providing services to the Fund, and it was DMS Services that appointed Mr. Don W. Ebanks as their nominee director to the Fund. Further, the Article does not prove or even suggest any wrongdoing on part of the said Mr. Ebanks, but mentions his name appearing in the Panama Papers

and Paradise Papers, thus attributing a certain tainted colour to his personality, and by relation to the Fund.

(vii) Further, it cannot be surprising that for a start-up fund, setting up office spaces in all jurisdictions is simply not feasible. Under such circumstances, they often resort to hiring intermittent services from professionals across jurisdictions. For reducing the cost base of the Fund for its operations in India, the Complainant used the services of an analyst and economist from the company run by his brother. Towards the use of office space, and the services provided by these professionals, the Fund paid a monthly fee of Rs. 2 lakhs to the company belonging to the Complainant's brother. The actions of misusing and misinterpreting this information to draw completely baseless diagrams suggesting complex web of inter-linkages between the business ventures of the Complainant, and those of his brother, merely to further the propounded conspiracy theory, are offences that would certainly attract criminal liability, being intended to tarnish the reputation by propagating falsities. Besides a Facility Management Agreement with Zeus Strategic Management Advisors Pvt. Ltd. with proper and adequate considerations for each service, there is no other relation between the Fund and the companies run by the brother of the Complainant's brother.

12. While the Article itself garnered much publicity and wide viewership, the subsequent conduct of the Accused No. 1 resulted in escalating the issue further, and ensuring that the damage suffered by the reputation of the Complainant and his family, is so permanently etched, that there is no coming back from the same for either the Complainant, his family, or his business ventures that he had worked very hard to launch and run..
13. The sudden rush to the press conference on the facts derived from an Article of a magazine and the undue haste shown to do so without verifying the facts, does indicate towards the *mala fide* of the Accused No. 1 abusing the platform of the Indian National Congress. It becomes clear from the tone and tenor of Accused No. 1 that the insinuations levelled are of far reaching consequence, *per se* defamatory and libelous. The no holds bar narrative is full of innuendoes and yet knowing very well that there is no truth in the allegations, Accused No. 1 also tries to hide behind a statement towards the end that the narrative of his is only factual and that he is not trying to level allegations. The last part of the press conference is not in concert with the narrative of the press conference. The following

part of the narrative, amongst others, is not factual but clearly comprises of imputations, innuendoes and allegations:

“ ...

- (i) *Pradhanmantri ji ne 8 november, 2018 ko notebandi ki ghoshana ki. 13 din baad 21 november, 2016 ko rashtriya salahkaar ke bete vivek doval, cayman island me ek hedge fund kholte hain. Cayman island kya hai- tax haven hai! Tax haven ka zikra kisne kiya tha- doval sahib ne kiya tha. ...*
- (ii) *21 november, 2016 ko vivek doval, “GNY Asia”, ye fund ka naam hai, notebandi ke 8 din baad ye fund kholte hain, iska asar kya hota hai – chamatkaar dekhiye. 2000 se lekar 2017 tak yani ki 17 saal me cayman island se 8300 crore rupaye ka FDI hamare desh me aaya. Cayman island gaer-kanooni nahi hai, par tax haven hai. ‘kar ka swarg’ hai., wahan koi kar nahi lagata toh sabhi waha jaakar register karte hai. 2000 se 2017 tak, 17 saalo me yaha se bharat ko 8300 crore rupya FDI aata hai. Ab kya hota hai- 2017-18 me, ek saal me yani ki april 2017 tak, 17 saalon me kareeb 8300 crore purya aata hai aur april 2017 se lekar march 2018, ek saal me cayman island se 8300 crore rupya aata hai, ye mein anumaan laga raha hu, yaha waha, 100 yaha, 100 waha ho sakta hai, mote taur se. yani ki jitna FDI 17 saalon me Cayman Island se aaya hai, utna notebandi ke baad ek saal me aata hai aur notebandi hue 13 din hote hai, ye GNY Asia fund khola jata hai ...*
- (iii) *Toh ye GNY Asia ka kaand sirf ek bete tak seemit nahi hai, iss jaal me dono bete fasse hue hain. Ye bilkul D-Company ki tarah hai aur ye bilkul saaf hai ...*
- (iv) *Toh notebandi ke kaaran ye fund 13 din baad khola jata hai aur agle 12 mahine me krantikaari tareeke se aap dekhiye, jo nateeja hota hai, 17 saal me jitna FDI desh ko mila hai, FDI-Foreign Direct Investment hota hai. “D” ka arth aur kuch bhi ho sakta hai, mein nahi kahunga.*
- (v) *Notebandi hona, itni bhario matra me paisa bahar se aana aur mein puri zimmedari se kehta hu ki ye round tripping bhi hai ki ye paisa bahar jata hai cayman island ko aur cayman island se waapis hamare desh me aata hai... ye foreign direct investment nahi hai , ye round tripping bhi hai, ye notebandi ka nateeja hai ...*
- (vi) *BJP me toh kalakaar beton ki koi kami nahi hai ...*

(vii) *Ye jo Vivek Doval ne cayman island me fund khol kar chamatkaar dikhaaya hai ...*

(viii) *Ye toh tathya hai, ye aarop nahi laga rahe hai ki cayman island me unhone ek fund ki sthapan ki thi, who sab kagazaat me hai. Hum aarop nahi laga rahe hai. Notebandi hui, ye vastavikta hai, FDI aaya hai who vastavikta hai, fund khola gaya hai, usmein koi aarop nahi hai. ... ”*

14. There is no doubt that the Constitution of India propagates free press in a democratic set up and envisages a freedom of speech and expression under Article 19(1)(a); however the right is not absolute and is subject to reasonable restrictions; the restrictions *inter alia* being public order, decency, morality, defamation or incitement of offence. The Accused No. 2 and 3, being a part of the print media, owe a responsibility to report cautiously and only after due diligence of satisfying itself about the authenticity of the facts being reported more so as reputation and goodwill have been acknowledged as a valuable asset by the Apex Court of the Country. The Article authored by Accused No. 3 and published by Accused No. 2 evidently smacks of *mala fide*. The version narrated by the Accused No. 2 and 3 in the Article is not substantiated by any documents and is not backed by any due diligence. Presuming that the Accused No. 2 and 3 must have taken a long period of time to have access and peruse the documents in order to narrate a story; curiously it was only on 12.01.2019 that a questionnaire was sent to the Complainant (on Facebook messenger) and his elder brother seeking details in a manner analogous to interrogation of an accused by a policemen or a law enforcement officer while vaguely mentioning that it is in regard to a story being done for the Caravan Magazine managed by Accused No. 2. It is pertinent to mention that such questionnaire somehow could not be accessed and it vanished all of a sudden from the FB messenger of the Complainant. As per information of the Complainant, the elder brother of the Complainant accessed his email only after the publication of the Article on 16.01.2019 and the press conference on 17.01.2019. It is also important to note that there was no phone call seeking any clarification from the Complainant or his elder brother. In any case, it is clear that the questionnaire sent to the Complainant or his elder brother was a mere eyewash done to complete the formality as a defense of any criminal action as the Accused had knowledge that the imputations are *per se* defamatory and false.

15. The Hon'ble Supreme Court in *Sahib Singh Mehra v. State of Uttar Pradesh* reported at AIR 1966 SC 1451 duly observes that the Press has great power in impressing the minds of the people and it is essential that persons responsible for publishing anything in newspapers should take good care before publishing anything which tends to harm the reputation of a person. Reckless comments are to be avoided. The judgment further goes on to say that the presumption is that every person has a good reputation unless proved otherwise. The impugned remarks made by the Accused persons in the Article and the press conference would certainly lead the readers of the Article and the viewers/listeners of the press conference to suspect the sanctity of the Fund and the credentials of the Complainant alongwith his family.
16. The Complainant submits that the acts and statements of the accused persons are not covered by any exceptions to Section 499 of the Indian Penal Code. The Complainant respectfully submits that the statements/insinuations made by the accused persons are far from truth and have not been made in any *good faith*. To the contrary, the insinuations have been so made by the accused persons, in active connivance with each other, with the concrete knowledge that imputation will harm the reputation of the Complainant and the Doval family. The imputations have neither been made for promotion of any public good nor do they touch any public question but have been made in a concerted effort to inflict injury on the Complainant and his family in view of the upcoming elections at the Centre. No due diligence was conducted and no effort was made by the accused persons to verify any of the imputations made which itself reflects the *mala fide* intent of the accused persons.
17. That the facts and circumstances clearly reveal that the Accused Persons, by words intended to be read as a whole have made and caused to be published imputations against the Complainant intending to harm his reputation and business; have committed the offence of defamation punishable under section 500 of IPC, 1860 read with section 120-B IPC, 1860.
18. That the cause of action has arisen within the jurisdiction of this Hon'ble Court as the article published and the statements made in the public by the accused persons have been accessed by the Complainant as well as the public within the territorial jurisdiction of this Hon'ble Court. The article as well as press conferences have unrestricted access through the internet across the globe including New Delhi. The Article and other newspaper dailies reporting the defamatory content in the Article as well as the press

conference and media statements made by Accused No. 1 were accessible to the Complainant in New Delhi. The consequences of the aforesaid acts of defamation committed by the accused persons have also ensued within the jurisdiction of this Hon'ble Court among other places. Further, the press address was conducted by Accused No. 1 within the territorial jurisdiction of this Hon'ble Court.

19. That the present complaint has been filed within the period of limitation and this Hon'ble Court is competent to entertain and try the present complaint and grant relief to the complainant.
20. That the complainant seeks the permission of the Hon'ble Court to urge any additional ground or to examine any other witness or to submit any other documents which would be made available to him at the time of hearing of this complaint. The Complainant most humbly submits that the facts stated above are substantiated by due documentation that is in possession of the Complainant. While a lot of the documents have already been placed on record before this Hon'ble Court as annexures to the complaint, the Complainant undertakes and craves leave of this Hon'ble Court to furnish further and other such documents as may be required, during the course of the trial and proceedings before this Hon'ble Court.
21. That it is submitted that the complainant is well within his rights to initiate criminal defamation proceedings against the accused persons. The complainant reserves the right to file civil defamation suit or any other proceedings against the accused under any other relevant law.
22. That the complainant reserves its right to take recourse to other remedies against the Accused Persons, as may be available to it, within the applicable laws.
23. That the present complaint has been filed in most *bona fide* and legal manner and in the interest of justice.

PRAYER

In the facts and circumstances as narrated in the present complaint, it is most respectfully prayed that the Ld. Court may be pleased to:

- (a) Take cognizance and issue summons to the accused persons, try and punish them for commission of offences under section 499 read with section 500 of the Indian Penal Code, 1860; and/or,

(b) Pass any other or such order(s) as this Hon'ble Court may deem fit in the facts and circumstances of the present case and in the interest of justice.

COMPLAINANT

Through:

**Sonam Gupta & Devansh Arya
Bharucha & Partners**
'Equity Mansion'
R-1, Nehru Enclave,
New Delhi – 110019
Ph: +91-9871043570

Date:

Place: New Delhi

**IN THE COURT OF THE LD. CHIEF METROPOLITAN MAGISTRATE,
PATIALA HOUSE COURTS, NEW DELHI**

COMPLAINT CASE NO. _____ / 2019

In the matter of:

VIVEK DOVAL

... COMPLAINANT

Versus

JAIRAM RAMESH & ORS.

... ACCUSED

AFFIDAVIT

I, Vivek Doval, s/o Sh. Ajit Doval, residing at #08 17, Park Infinia, 6A, Lincoln Rd., Singapore, Singapore – 308366, and in India at C-228, Sector 44, Noida, Uttar Pradesh - 201303, aged about 41 years, presently at New Delhi, do hereby solemnly affirm and declare on oath as under:

1. I am the Complainant in the abovementioned case and as such am well conversant with the facts and circumstances of the case and competent to swear the present Affidavit.
2. That I have read and understood the contents of the accompanying Criminal Complaint and state that the facts mentioned in therein are true and correct to the best of my knowledge and belief and may be read as part and parcel of the present Affidavit.

DEPONENT

VERIFICATION:

Verified at New Delhi on this __ day of January 2019 that the contents of the present Affidavit are true to the best of my knowledge, belief and record. No part thereof is false and nothing material has been concealed therefrom.

DEPONENT