



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

**CHARGESHEET**

**(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 & others.**

<b>1</b>	Name of the Branch	NIA Hqrs, 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 dated 12.05.2015 registered u/s 489B, 489C IPC, Section 18 NDPS Act.)
<b>2</b>	Final Report/Charge Sheet No	09 (A) / 2015.
<b>3</b>	Date	14.06.2016.
<b>4</b>	Section (s) of Law	Sections 489B, 489C, 120B, 468, 471 IPC, Section 18 NDPS Act and Section 16, 21 of Unlawful Activities Prevention Act, 1967 as amended.
<b>5</b>	Type of Final Report.	Charge sheet.
<b>6</b>	If Final Report Un-occurred/ :False/ Mistake of fact/Mistake of law/Non-Cognizable /Civil Nature	Not applicable.
<b>7</b>	If Charge-sheeted: Original/Supplementary	Supplementary Charge sheet

<b>8</b>	Name of Investigation Officer	[REDACTED]
<b>9</b>	Name of the Complainant /Informant :	[REDACTED] [REDACTED] [REDACTED] Kaliachak P.S, Malda, West Bengal.
<b>10</b>	Details of Properties /documents/ Articles/ recovered/seized during the investigation and relied upon	As per Annexure "A", "B" & "C" enclosed.

**11. Particulars of accused persons charge sheeted:**

**A-1**

Name	<b>Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar @ Ganesh.</b>
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	-
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.
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	12.05.2015.

Date of release on bail	Presently under judicial custody
Under Acts & Sections (of charge sheet)	489B I.P.C.
Previous convictions with case reference	Not applicable.
Status of the accused	Charge sheet No 09/2015 dt. 06.11.2015 u/s 489C, 120B, 468, 471 IPC, section 18 NDPS Act and 16 U A (P) Act has been filed against him. Accused is at present in judicial custody.

**A-2**

Name	<b>Rajan Chopra @ Rajen Chopra @ Rajan Kumar Chopra @ Rajen Kumar Chopra @ Rajen Kumar @ Rajan Kumar</b>
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	-
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)	Same as above
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	12.05.2015

Date of release on bail	Presently under judicial custody
Under Acts & Sections (of charge sheet)	489B IPC
Previous convictions with case reference	Not applicable.
Status of the accused	Charge sheet No. 09/2015 dt. 06.11.2015 u/s 489C, 120B IPC, 18 N.D.P.S. Act, 16 UA (P) Act, 1967 has been submitted against him. The accused is at present in judicial custody.

**A-3**

Name	<b>Amerul Sekh @ Amirul Islam Sekh @ Amin</b>
Father's Name	Borrak Sekh @ Borrak Ali
Year/Date of Birth	1975 (As per EPIC card No. WB/07/049/615576).
Sex	Male
Nationality	Indian
Passport No	-
Religion	Muslim.
Occupation	Cultivator.
Address (Present)	Haji Javed Ali Mandal Tola (Ghera Bhagwanpur), PO- Bagabanpur Anchal, PS- Baishnabnagar, District- Malda, West Bengal.
Address( Permanent)	Same as above
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	18.12.2015
Date of release on bail	Presently under judicial custody
Under Acts & Sections (of charge sheet)	<b>489B, 489C, 120B, 468/471 of Indian Penal Code and section 16 of Unlawful Activities</b>

	<b>(Prevention) Act, 1967.</b>
Previous convictions with case reference	Not applicable.
Status of the accused	At present in judicial custody.

**A-4**

Name	<b>Jahirul @ Jahir Sekh</b>
Father's Name	S/o Late Maimul @ Moimul Hoque.
Year/Date of Birth	30 Years (As per EPIC card No. BZB2743813 and AADHAR card No. 861793710109).
Sex	Male
Nationality	Indian
Passport No	N5306448 issued on 16/12/2015
Place of issue	RPO, Kolkata
Date of issue	16.12.2015.
Religion	Muslim.
Occupation	Cultivator.
Address (Present)	r/o vill- Pardeonapur, Abusekher Imajuddin Bari, Pardeonapur, Shovapur, PO- Pardeonapur-742202, PS- Baishnabnagar, Dist- Malda, West Bengal.
Address( Permanent)	Same as above
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	19.02.2016.
Date of release on bail	Presently under judicial custody
Under Acts & Sections (of charge sheet)	<b>489B, 120B of Indian Penal Code and sections 16, 21 of Unlawful Activities (Prevention) Act, 1967.</b>
Previous convictions with case reference	Not applicable.
Status of the accused	At present in judicial custody.

**A-5**

Name	<b>Alam Sekh</b>
Father's Name	Mojammel Sekh @ Bhodu Sekh
Year/Date of Birth	22 Years (As per EPIC card No. ZMU1278282).
Sex	Male
Nationality	Indian
Passport No	-
Religion	Muslim.
Occupation	Cultivator.
Address (Present)	r/o Vill- Daulatpur, (Ahead BSF fencing toward Bangladesh), PO-Sabdalpur, PS- Baishnabnagar, Dist- Malda, West Bengal.
Address( Permanent)	Same as above
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	11.04.2016.
Date of release on bail	Not applicable.
Under Acts & Sections (of charge sheet)	<b>489B, 489C, 120B of Indian Penal Code and section 16 of Unlawful Activities (Prevention) Act, 1967.</b>
Previous convictions with case reference	Not applicable.
Status of the accused	At present in judicial custody.

**A-6**

Name	<b>Asim Kumar Saha.</b>
Father's Name	Sh. Bijay Kumar Saha.
Year/Date of Birth	36 Years (As per EPIC card No. WB/07/049/687449).
Sex	Male

Nationality	Indian
Passport No	-
Religion	Hindu.
Occupation	Labour.
Address (Present)	r/o Vill- Charianantapur, under Golapganj Investigation Centre, PS- Kaliachak, Dist- Malda, West Bengal.
Address( Permanent)	Same as above
Whether verified (Address)	Yes
Provisional Criminal No.	Not applicable.
Regular Criminal No. (if known)	Not applicable.
Date of Arrest	<b>Absconder.</b>
Date of release on bail	Not applicable.
Under Acts & Sections (of charge sheet)	<b>489B, 489C, 120B of Indian Penal Code and section 16 of Unlawful Activities (Prevention) Act, 1967.</b>
Previous convictions with case reference	Not applicable.
Status of the accused	<b>Absconder.</b>

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

13. (i) Particulars of witnesses examined : As per the list enclosed in Annexure-A-1  
(ii) List/details of documents/Articles: As per the list enclosed in Annexure-B-1 and C-1.

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

15. Result of laboratory analysis : As mentioned in Para 17.2 and 17.4.

**16. Brief facts of the case:**

**16.1** The instant case relates to international racket of smugglers those are involved in High quality counterfeit Indian currency and drugs. These accused are involved in smuggling of FICN from Bangladesh to Indian side to further circulate in local areas. This act of terror relates to offence for an attempt to damage the monetary stability of India.

**16.2** On 12.05.2015, based on a reliable information, a joint team of officials of BSF and local Police, spotted a Maruti car parked near Shujapur Hospital More beside NH-34 under Kaliachak P.S, Malda, West Bengal. Two suspected persons were found sitting inside the car. On subsequent search, the above officials found and seized following incriminating items from the joint possession of **Sunesh Kumar @ Sumesh Kumar (A-1)** and **Rajen @ Rajan Kumar (A-2)**;

- a. About **800 grams of opium**,
- b. **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.).
- 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 registration plate no. PB 23 R-1926 with key,
- f. One old and used black colour travelling bag,
- g. Rs. 5,500/- genuine cash

**16.3** On completing the seizure at about 6:55 PM on the spot, above two persons were arrested on the spot. An FIR no. 238/15 dated 12.05.2015 under section 489B, 489C IPC and Section 18 NDPS Act was registered in P.S. Kaliachak and investigation commenced.



16.4 Considering the gravity of the offence, Ministry of Home Affairs, Govt. of India issued an order No. 11011/32/2015-IS. IV dated 09/06/2015, and accordingly the NIA took up the investigation of this case by re-registering RC-05/2015/NIA/DLI under section 489B / 120B IPC and 18 of N.D.P.S. Act on 12/06/2015.

## 17. Facts Disclosed During Investigation:

17.1 During investigation, it is established that the local police led by [REDACTED] [REDACTED] under Kaliachak P.S. with staff of [REDACTED] [REDACTED] seized Fake Indian Currency Note (FICN) with face value of Rs. 9,00,000/-, about 800 grams of opium, four numbers of mobile phones, two original driving license (one in the name of Sunesh Kumar and another in the name of Rajan Chopra), One Maruti Suzuki Swift Dzire car, one old and used black colour travelling bag, genuine Rs. 5.500/- and 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.

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

17.3 Considering the report of [REDACTED] and provisions of Unlawful Activities Prevention Act, section 16 was invoked in the instant case. The same was approved by the Competent Authority, NIA and also allowed by the Ld. Spl. NIA Court.

17.4 The Report of [REDACTED] has established that the **seized substance from the accused persons is Opium of purity 18.916 % (w/w) and quantity is 847.152 grams** which is a commercial quantity. It is further established that the substance seized comes under the purview of NDPS Act 1985.

- 17.5** During the investigation, the NIA has filed charge sheet No. 09/2015 dated 06.11.2015 against Sunesh Kumar Sharma **(A-1)** u/s 489C, 468, 471, 120B IPC, section 18 of NDPS Act, Section 16 of UA (P) Act and against Rajan Chopra **(A-2)** u/s 489C, 120B IPC, section of 18 NDPS Act, Section 16 of UA(P) Act based on the sufficient oral and documentary evidences, pending further investigation u/s 173 (8) Cr.P.C.
- 17.6** During the course of further investigation, name of accused persons Amerul Sekh @ Amirul Islam Sekh **(A-3)**, Jahirul @ Jahir Sekh **(A-4)**, Alam Sekh **(A-5)** and Asim Kumar Saha **(A-6)** have surfaced in the commission of offences of the instant case. They all conspired, planned and took part in the execution of the smuggling of FICN from Bangladesh to India with an intention to circulate in the heartland.
- 17.7** **Amerul Sekh (A-3)** had been the **courier** of this consignment of Fake Indian Currency Note (FICN) under the leadership of Asim Kumar Saha **(A-6)**. Amerul Sekh @ Amirul Islam Sekh **(A-3)** had carried FICN with face value of Rs. 9,00,000/- on 12.05.2015 from Jahirul **(A-4)** and handed over to Asim Kumar Saha **(A-6)**.
- 17.8** **Amerul Sekh (A-3)** used a stolen motor cycle with forged number plate on 12.05.2015 at the time of handing over the said seized Fake Indian Currency Note (FICN) to Asim Kumar Saha **(A-6)**. The actual registration number of the said motor cycle used is JH-17C-2541, which was stolen from the possession of one Sh. Kali Charan Kisku on 06.09.2014. A specific case in this crime was registered with [REDACTED] vide Crime No. 18/2014 dt. 07.09.2014 u/s 379 of IPC. Aforesaid stolen motor cycle having forged number plate (Registration number) WB-66G-5550 was seized from the custody of Amerul Sekh **(A-3)** on 18.12.2015.
- 17.9** Further investigation established that Jahirul @ Jahir Sekh **(A-4)** is one of the conspirators / collector of Fake Indian Currency Notes (FICN) from the suppliers/ co- conspirators of Bangladesh. Asim Kumar Saha **(A-6)** used to purchase Fake

Indian Currency Note from Jahirul Sekh **(A-4)**. The seized Fake Indian Currency Notes were also collected by Asim Kumar Saha **(A-6)** from Jahirul **(A-4)**.

**17.10** Further at the time of arrest of Jahirul Sekh **(A-4)** on 19.02.2016, an amount of Rs. 8,94,000/- (Eight Lakhs and ninety four thousands) was seized from his possession. Investigation has established the above seized genuine currency **is proceeds of terrorism**. The **competent Designated Authority**, Ministry of Home Affairs, Govt. of India, New Delhi allowed to retain the seized genuine currency amounting to the tune of Rs. 8,94,000/- and confirmed the seizure as proceeds of terrorism.

**17.11** Investigation further revealed that Alam Sekh **(A-5)** is also **the courier** of Fake Indian Currency Notes under Jahirul Sekh **(A-4)**. Alam Sekh **(A-5)** used to collect Fake Indian Currency Notes from the suppliers/ co- conspirators of Bangladesh and in turn used to hand over the Fake Indian Currency Notes to Jahirul Sekh **(A-4)**.

**17.12** In furtherance of the conspiracy, the seized Fake Indian Currency Notes in the instant case (value of Rs. 9,00,000/-) were collected by Alam Sekh **(A-5)** and handed over to Jahirul Sekh **(A-4)** which were further purchased by Asim Kumar Saha **(A-6)** through courier Amerul Sekh **(A-3)** on 12.05.2015 and subsequently sold / handed over to Sunesh Kumar **(A-1)** and Rajen **(A-2)** for further trafficking to the States of Haryana and Punjab respectively .

**Bangladesh FICN smugglers**

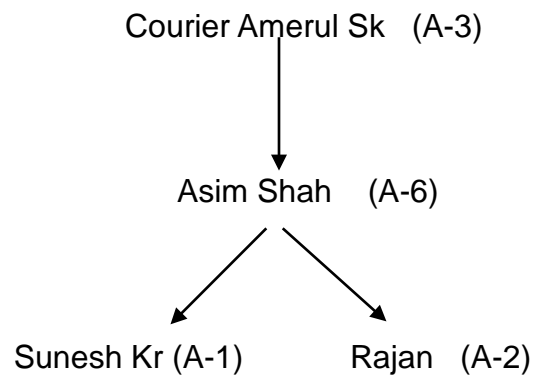


Courier Alam Sk (A-5)



Jahirul Sk (A-4)





For further circulation of FICN and drugs to the States of Haryana and Punjab in connivance with other conspirators

**17.13** The recovered Fake Indian Currency Notes are of High Quality, all the seized notes being of the denomination of Rs. 500/- and 1000/- duly recovered from the Place of occurrence at Sujapur which is in **close proximity of the International border** (about 15 Kms from Indo-Bangladesh Border). The quantum of FICNs being very high i.e. to the tune of Rs.9,00,000/- (nine lakhs) and the recovery also associated with another contraband item i.e. Narcotics substance further establishes that the accused persons had been involved in this **trans-national & trans-states illegal and anti-national act for quite some time**. They had circulated FICNs in the past as part of their business transactions and hence they had the knowledge of wrongful gain from the criminal act of possessing and circulating Fake Indian Currency Notes in the Indian markets with a view to destabilize the economic security of India.

**17.14** 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 falls under the category of 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. Therefore arrested accused persons Amerul Sekh @ Amirul Islam Sekh (**A-3**), Jahirul @ Jahir Sekh (**A-4**), Alam Sekh (**A-5**) and absconding accused person Asim Kumar saha (**A-6**) are also culpable under

section 16 of Unlawful activities Prevention Act, 1967, as amended, in the instant case.

**17.15** Accused Sunesh Kumar Sharma **(A-1)** and Rajan Chopra **(A-2)** have been charge sheeted vide 09/2015 dated 06.11.2015. During further investigation, it was established that they are also liable to be charged under section 489B of the Indian Penal Code. Amerul Sekh @ Amirul Islam Sekh **(A-3)** is liable to be prosecuted under sections 489B, 489C, 120B, 468/471 of the Indian Penal Code, section 16 of the Unlawful Activities (Prevention) Act, 1967 as amended. Jahirul @ Jahir Srkh **(A-4)** is liable to be prosecuted under sections 489B, 120B of the Indian Penal Code, sections 16 and 21 the Unlawful Activities (Prevention) Act, 1967 as amended. Alam Sekh **(A-5)** is liable to be prosecuted under sections 489B, 489C, 120B of the Indian Penal Code, section 16 the Unlawful Activities (Prevention) Act, 1967 as amended and absconding Asim Kumar Saha **(A-6)** is liable to be prosecuted under sections 489B, 489C, 120B of the Indian Penal Code, section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 as amended and 16 the Unlawful Activities (Prevention) Act, 1967 as amended.

## **18. CHARGE**

It is, therefore, most graciously prayed that the arrested/ absconding accused persons may be charged for offences as noted below against their names in the instant case as under :-

- I. **Sunesh Kumar Sharma @ Sunesh Kumar @ Sumesh Kumar @ Ganesh (A-1) to be charged for offences under sections 489B of the Indian Penal Code.**
- II. **Rajan Chopra @ Rajen Chopra @ Rajan Kumar Chopra @ Rajen Kumar Chopra @ Rajen Kumar @ Rajan Kumar (A-2) to be charged for offences under sections 489B of the Indian Penal Code.**

- III. **Amerul Sekh @ Amirul Islam Sekh @ Amin Sekh (A-3) to be charged for offences under sections 489B, 489C, 120B, 468/471 of the Indian Penal Code and section 16 of the Unlawful Activities (Prevention) Act, 1967 as amended.**
- IV. **Jahirul @ Jahir Sekh (A-4) to be charged for offences under sections 489B, 120B of the Indian Penal Code and sections 16, 21 of the Unlawful Activities (Prevention) Act, 1967 as amended.**
- V. **Alam Sekh (A-5) to be charged for offences under sections 489B, 489C, 120B of the Indian Penal Code and section 16 of the Unlawful Activities (Prevention) Act, 1967 as amended.**
- VI. **Asim Kumar Saha (A-6) (absconder) to be charged for offences under sections 489B, 489C, 120B of the Indian Penal Code, section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 as amended and section 16 of the Unlawful Activities (Prevention) Act, 1967 as amended.**

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

**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** Warrant of arrest may kindly be issued against absconding accused Asim Kumar Saha **(A-6)** S/o Sh. Bijay Saha r/o Vill- Charianantapur, under Golapganj Investigation Centre, PS- Kaliachak, Dist-Malda, West Bengal.

**18.5** Evidences are also forthcoming against other co-conspirators involved in the supply of the FICNs to the accused in the instant 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 : 14.06.2016

**No. of enclosures** : [REDACTED]

**21.** List of enclosures:

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

**Forwarded by,**

[REDACTED]