

Date:

To

The Officer In-charge,

Muffasial P.S.

Purulia District.

Re: Complain regarding Cheating, criminal breach of trust, fraud, forgery, attempt to murder committed by (1) Mr. Vikash Poddar and (2) Mr. Chikesh Poddar, both sons of Sri Durga Prasad Poddar, of 1st floor, Old Sales Tax Building, Bhagabandh Para, Purulia and also at Mouza - Chakda, J. L. No.- 42, Pargana - Lagda, Sonajuri Gram Panchayat, Dist.- Purulia, in criminal conspiracy with each other.

I Sri Pradip Paramanik son of Sri Manoranjan Paramanik, am the authorized representative of Bharat Hi-Tech Cements Pvt Ltd., having its office situated at Gandhi House, 16 Ganesh Chandra Avenue, Kolkata 700013 (hereinafter referred to as "our company"). Our company is one of the leading cement manufacturers in the eastern region of India, under the brand name of "Bharat Super Cement", having our factory at Village Bongabari, P.O. V. Nagar, Purulia, West Bengal, Pin 723147 and having town office at room no. 14, Municipal Market, Chaibasa Road, Purulia. Our company has also forayed into the hospitality sector, and runs and operates hotels, including one Kushal Pally Resorts, at Ayodhya Hills, Purulia. Our company also operates a Timex showroom in Purulia, all within the jurisdiction of the office of your goodself.

One Mr. Vikash Poddar son of Sri Durga Prasad Poddar of 1st floor, Old Sales Tax Building, Bhagabandh Para, Purulia and also at Mouza - Chakda, J. L. No.- 42, Pargana - Lagda, Sonajuri Gram Panchayat, Dist.- Purulia, had joined in our aforesaid Purulia office as a multi tasking executive and later on worked as business development executive, entrusted with the sale of cement and collection of the sale proceeds. The job-role of Mr. Vikash Poddar required him to interact with dealers on regular basis and collect the orders from them and also to

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Corporate Office:

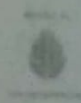
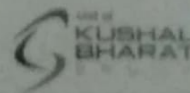
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collect the sale proceeds of the supplied cements from those dealers and to deposit the same with our office.

Mr. Vikash Poddar is a smooth talker. He impressed our company with sales growth and induced the higher management to trust him with his lofty projections of business development of our company. Soon, our company placed enormous trust on him. Mr. Vikash Poddar would secure orders for delivery of cement, and instruct our company to supply the same to the purchaser. Based on the assurances and representations of Mr. Vikash Poddar, we supplied the purchaser with the order. Subsequently, Mr. Vikash Poddar would collect the monies, being the sale proceeds, from the said purchasers and deposit in our account.

Around the year 2015, the accounts team of our company noticed that Mr. Vikash Poddar was depositing meager amounts of the sale proceeds, as against vast quantities supplied by our company on the basis of orders quoted by him. When Mr. Vikash Poddar was asked to explain such discrepancy, Mr. Poddar falsely told us that most of the dealer's payment has got held up by the government departments and they will clear their dues at the earliest. In such circumstances, around the financial year ending on March, 2015, the accounts team of our company asked Mr. Vikash Poddar to obtain balance confirmation vouchers from the respective dealers who had outstanding dues to our company against the materials supplied by our company. Mr. Vikash Poddar, duly obliged and provided our company with balance confirmation receipts which he said were issued by the dealers who had outstanding dues payable to our company. The balance confirmation receipts bore the sign and stamp of the said dealers and hence our company had no reason no doubt such balance confirmation receipts.

As there were huge outstanding amounts by the aforesaid defaulting dealers, our company decided not to supply any further materials to them, until the outstanding bills were cleared. At such point of time, one of the dealers, namely M/S Pasupati Gorain Pancha, against whose account an outstanding due of ...280000/- (Two Lakh Eighty Thousand Only) was present, came to our office and demanded for supply of its orders. When the aforesaid dealer was told that supply was discontinued as because it had run up huge dues to us, the dealer expressed surprise and ignorance. Thereupon, we showed him the balance confirmation receipt issued by him, as we had been led to understand by Mr. Poddar. The said dealer

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expressed great surprise and shock and said that it had cleared all the dues of our company to Mr. Vikash Poddar by cash payment, and that it had not issued such balance confirmation receipt for Rs. 280000/- (Two Lakh Eighty Thousand Only) In fact, the said dealer said that the signature and seal appearing on the balance confirmation receipt were not his and the same was forged.

The accounts team of our company was shocked and as such decided to call up the other dealers and seek oral confirmation of the balance payable to our company, against which Mr. Vikash Poddar had handed us physical balance confirmation vouchers purportedly issued by the dealers. To our great shock, one by one all the dealers claimed to have cleared all the dues of our company to Mr. Vikash Poddar by cash payment, and that they had not issued such balance confirmation receipt for Rs. 280000/- (Two Lakh Eighty Thousand Only) In fact, all the dealers said that the signature and seal appearing on the balance confirmation receipts were not theirs and the same was forged.

Thereafter, our company confronted Mr. Vikash Poddar with the statements of all the dealers. Mr. Poddar initially fumbled, but then faced with the testimony of all the dealers, admitted his guilt and had confessed that he has misappropriated and cheated us with the sale proceeds of our company, and has misappropriated the same for his personal use. He categorically confessed that he has misappropriated at least Rs. 52,49,307/- of our company's funds, mostly the sale proceeds collected from the dealers for and on our behalf. As a matter of fact, our internal audit information and records shows that Mr. Vikash Poddar has misappropriated around Rs. 85 lakhs. Mr. Poddar also admitted that he had forged the balance confirmation receipts in order to cheat us. After collecting the sale proceeds from our Dealers, he had not deposited the same with our company. Instead, he admitted to having misappropriated the same and having forged the balance confirmation receipts, for satisfying his bad habits and also developing his house at Mouza - Chakda, J. L. No.- 42, Pargana - Lagda, Sonaijuri Gram Panchayat, Dist. - Purulia, as the cost for constructing the same went beyond his budget.

Our company had no prior knowledge of the aforesaid criminal activities of Mr. Vikash Poddar. Had such criminal activities of Mr. Poddar been known to us, then our company would not have allowed said Vikash Poddar to handle the sale proceeds of the company.

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In the circumstances, our company was determined to initiate legal steps against Mr. Vikash Poddar for defrauding our company by forging the fraudulent balance confirmation receipts and dishonestly misappropriating the sale proceeds. However, at such point of time, Mr. Vikash Poddar said that he was repentant for his misdeed and pleaded with our company to not initiate any proceedings as that would forever brand him as a criminal. He said there were several lives dependent on him, and our company may please show him mercy. He further said that he would pay back the entire defalcated sum by selling of the ill-gotten assets acquired by him using the misappropriated money, including a Scorpio vehicle, bearing registration no. JH01BQ/5849. As proof of his intent to make good his promise, on 14.10.2015 he executed a power of attorney in respect of his residential house property at Mouza - Chakda, J. I. No. 42, Pargana - Lagda, Sonaijuri Gram Panchayat, Dist.- Purulia, in favour of Mr. Rahul Agarwal, a trusted representative of our company and the said documents was duly registered in the office of Additional District Sub Registered, Purulia. Mr. Vikash Poddar also admitted to the aforesaid fact of misappropriation of funds, by way of a letter dated 25th March 2016 and his brother, Mr. Chikesh Poddar and relatives and others were the witnesses of that letter of undertaking. As Mr. Poddar gave us the impression that he genuinely wished for an opportunity to make up for his misdeeds and to repay us the monies defalcated by him, our company was induced by him to not initiate any complaint with the authorities at such point of time. Mr. Vikash Poddar further sought to assure us of his genuine intentions to return the misappropriated monies by handing over a cheque drawn in favour of one of our sister concerned namely K. B. Concretex for sum of Rs. 2,24,000/- , being cheque no. 000166 and requested us to adjust the said amount with the amount misappropriated by him, for the time being. Mr. Vikash Poddar asked us to deposit the cheque upon the start of the month of April, 2016 and assured us that the cheque will be honoured positively. He further assured that, he will pay the balance amount within a month there from.

However, on presentment of the cheque on 06/04/2016, it got dishonoured on the grounds of "Insufficient Funds" as well as on "drawer's signatures incomplete / illegible / Jitters". Subsequently it came to our knowledge that soon after issuing the cheque, Mr. Vikash Poddar had secretly instructed his banker to make stop payments of that cheque. Moreover, he had deliberately signed in a manner so that the cheque gets dishonoured. From the

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Member of



Indian Cement Association

aforesaid action it was clear that the accused person had issued the cheque, with prior criminal intention that he will not pay for the same and shall defraud our company.

Thereafter, our company was further shocked and surprised when Mr. Vikash Poddar suddenly cancelled the power of attorney executed by him, by a letter dated 6/4/2016.

In such circumstances, it was manifest that Mr. Vikash Poddar has all along nurtured a criminal intention to defraud, cheat and misappropriate the funds our company. Mr. Poddar has also forged false balance confirmation receipts, in order to falsely persuade us that the default was at the end of the purchasing dealers, whereas it was Mr. Poddar who was siphoning away the sale proceeds collected from the said dealers. In the backdrop of the above, our company was determined to lodge appropriate proceedings in law, when Mr. Chikesh Poddar came along with Mr. Vikash Poddar, and pleaded for mercy once again. Mr. Chikesh Poddar is the brother of Mr. Vikash Poddar. This time, Mr. Chikesh Poddar offered to work in place of Mr. Vikash Poddar and assured that he would repay all the monies siphoned away by his elder brother, Vikash Poddar, by paying from the salary to be paid to him by our Company. The incessant pleas of the two brothers, especially Mr. Chikesh Poddar, who offered to stand in on behalf of his brother and repay the monies, moved our company. Chikesh Poddar pleaded that if his brother, Vikash Poddar, was proceeded against in law, it would bring a bad name to the entire family. He said they would have no place to hide and it would mean the destruction of an entire family consisting of small children, all for the greed of one member, namely Vikash Poddar.

Our company was persuaded by the apparently sincere pleas of Mr. Chikesh Poddar, and being taken in by his representations, was induced to allow him to take the place of Mr. Vikash Poddar, on condition that he would soon repay the monies siphoned away by Mr. Vikash Poddar. To further assure our company of his genuine intentions, Mr. Chikesh Poddar wrote to us a letter dated 10.2016, undertaking to pay the aforesaid monies.

Accordingly, Mr. Chikesh Poddar was entrusted with the responsibilities of proper maintenance of records, data. By the very nature of his job, Mr. Chikesh Poddar had access to the confidential information of our Cement division as well as other segments like Hotel and Resort. Even as our company, repeatedly followed up with him to pay up the monies siphoned

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by his brother, he repeatedly sought more time on some pretext or the other. Chikesh Poddar could be termed as smooth talking, and hence his excuses always sounded emotionally sensitive. That apart, as Mr. Chikesh Poddar was working with us and held out the promise of recovering the monies defalcated by his brother, our company felt assured, and at any rate it was believed that it was best if the brothers paid up the monies on their own.

However, since last few months we have found the activities of the said Mr. Chikesh Poddar to be suspicious and severe manipulations like his elder brother Vikash Poddar and diversions of company funds and resources into his own personal accounts instead of the company accounts which he was not authorized to do in any manner whatsoever. After the last financial year end we have come to know from few customers, guests and other concerns that said Mr. Chikesh Poddar, like his brother, has misrepresented to them and insisted them to make payments into his own personal account, of bills that were raised in the name of our company, without any knowledge and/or consent of his superiors and/or the authorization of the company management. Acting on such misrepresentations of Mr. Chikesh Poddar, one Subhansu Patra had deposited the monies payable for his stay at Kushal Pally Resorts, Hazratganj near Purulia, to the tune of Rs. 30,299/- in the bank account of Mr. Chikesh Poddar. Similarly, cash payments to the tune of Rs. 9716/- made at the Timex showroom of our company was misappropriated by Mr. Chikesh Poddar. In this way the said Mr. Chikesh Poddar has collected huge amount of money from the guests, customers of the Hotels and Resorts business of our company and even from the market on behalf of our company using our name by unlawfully misrepresenting himself to be authorized to do so and has used the such money for his personal and wrongful gain and causing us wrongful loss. We firmly believe that such misappropriated amount of money may be far higher in number and volume than the amount of money we have been able to discover as we have now received similar complains of misappropriation of the lawful money of our company by the said Mr. Chikesh Poddar from many of our vendors and suppliers who have reported that the said Mr. Chikesh Poddar has often demanded commission from them for each transaction with a threat that if they don't pay him his commission, he will cancel their orders and/or contracts.

Further, Mr. Chikesh Poddar has taken money to the tune of Rs. 500000/- (Rs Five Lakh only) from our company on account of payments to be made to our various vendors and suppliers and also for contract workers engaged in some spot works or contract works for our

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various projects on a regular basis. However, we are now receiving complaints from several of such vendors, suppliers, workers that they have not been paid and they have in fact raised demands for their payments upon our company despite of the fact that the said Mr. Chikesh Poddar had already withdrawn money to the content of Rs. 136522/- (One Lakh Thirty Six thousand five hundred twenty two only) from the company's funds or had it released from the company's accounts on the pretext of making/clearing such payments to the vendors, suppliers, workers and had repeatedly claimed that he had settled off all such dues.

Upon receiving such complaints, we promptly sought clarifications from Mr. Chikesh Poddar. However, immediately thereafter, on or about 2nd of June, 2018, Mr. Chikesh Poddar stopped attending office. Since then, Mr. Chikesh Poddar has not come back to work. Pertinently he has with him valuable and confidential business data of the company in several files, which were entrusted with him by the company, strictly for the purpose of carrying out the work of the company, on condition that he shall return the same in the same condition, upon ceasing to work with us. He has not handed back the aforesaid confidential files to our company. Alongside he has the laptop of the company, pen drive and dongle, which he has used to return to us after his sudden absence from our company.

In the circumstances, our company had tried to contact him on several occasions, in order to seek return of the confidential files, laptop, etc., and also for return of the monies siphoned away by Mr. Vikash Poddar and Mr. Chikesh Poddar. However, on all occasions for the month of June, 2018 and July, 2018 the aforesaid brothers had evaded us.

Yesterday, I had again gone to the residential address of Mr. Vikash Poddar and Mr. Chikesh Poddar, to seek return of the confidential files, laptop, etc., and also for return of misappropriated monies, when while waiting outside the house, I saw the said brothers inside the house. As I called out to them, the said brothers arrived at the entrance and threatened me to go away, or I will imperil my life at their hands. They said they had defrauded our company and siphoned away all the money and they were not going to repay us. They further said that they had found a buyer for the confidential data of our company and would soon be selling it to him for a large sum of money. As I remained firm and gentle, and asked them to return the monies and articles, the said brothers grew abusive and violent. Mr. Chikesh Poddar suddenly pushed me to the ground, and I fell. The said brothers thereafter started kicking me all over

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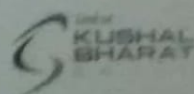
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with full fury. I coiled up in pain. Thereafter, I got the fright of my life when Mr. Vikash Poddar took out a knife and tried to stab me when in the nick of time, I rolled over and narrowly averted the knife blow. Being terribly frightened, I gathered the last ounce of strength and tried to get up and flee, when Mr. Chikesh Poddar held me back with the collar of my shirt. Somehow, I managed to wriggle out and ran for my life. As I immediately ran as fast as I could and got out of there.

Sir, it is apparent that Mr. Vikash Poddar and Mr. Chikesh Poddar have together conspired to defraud our company and have all along nurtured a criminal intention to defraud, cheat and misappropriate the funds of our company. Mr. Vikash Poddar has also forged false balance confirmation receipts, in order to falsely persuade us that the default was at the end of the purchasing dealers, whereas it was Mr. Vikash Poddar who was siphoning away the sale proceeds collected from the said dealers, thereby defrauding us of about Rs. 85 lakhs. Mr. Vikash Poddar had also assured to repay us and induced us to believe his assurances, by executing a power of attorney which was later revoked by him and issuing a cheque that was dishonoured on presentment for insufficient funds. In the backdrop of the above, our company was determined to lodge appropriate proceedings in law, when Mr. Chikesh Poddar came along with Mr. Vikash Poddar, and pleaded for mercy and offered to work in place of Mr. Vikash Poddar and assured that he would repay all the monies siphoned away by his elder brother, Vikash Poddar. However, Mr. Chikesh Poddar instead of repaying the monies siphoned away by his brother, has himself siphoned away the monies of our company. He has withdrawn money from the company's funds or had it released from the company's accounts on the pretext of making/clearing payments to the vendors, suppliers, workers and instead siphoned away such monies for his own use. He has also misrepresented to our customers and insisted them to make payments into his own personal account, of bills that were raised in the name of our company. He has thereafter misappropriated such sum of monies. Lastly, he has stolen valuable and confidential business data of the company in several files, which were entrusted with him by the company, along with the laptop of the company, pen drive and dongle. When I last met the brothers, yesterday they were full of vehemence and attempted to murder me, with the intent to strike fear in our company, and to prevent our company from pursuing with the recovery of its dues.

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In the aforesaid circumstances, I beseech your good office to kindly intervene into the matter and conduct a thorough investigation after treating this letter of complaint as a First Information Report as per provision of law and punish the guilty persons as mentioned here in above.

Yours truly,

For, Bharat Hi-tech Cements Pvt. Ltd.
BHARAT HI-TECH (CEMENTS) PVT. LTD.

Pradip Paramanik

Pradip Paramanik
Director/Authorised Signatory • 7602430380

Regional Representative

Received on 01/8/2018 at 10:35 hrs
and started Purulia (M) PS
Case No - 161/18 dt 01/8/2018
u/s 406/409/420/468/471/
325/307/506/34 - IPC

Pradip
01/8/18
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