OC.

To,

The Senior Police Station,

Byculla Police Station

Mumbai.



Sub: Complaint against cheating, extortion, fraud, played by accused persons

Complainant: HusainALI Noorani (9324630431)

Aged about 71 Years (Senior Citizen)

R/o. Flat No. 12 "A" Wing Rosary House 297 Gun powder road, 4<sup>th</sup> Floor, Mazgaon Mumbai – 400 010

Versus

ACCUSED: 1] Mr. Afzal Haji Khan @Afzal Paani.

R/o. 12-C, Habib Villa,

Low level Mazgaon,

Nesbit Road Mazgaon, Mumbai - 400 010.

- 2] Papa Bhai
- 3] Siraj
- 4] Other 5/6 unknown person who have threatened and abused the complainant for the purpose of extortion, cheating and fraud.

The above named complainant, who is senior citizen, begs to file complaint against above accused, as under:

1] That, the complainant and his son Mr. Ali Raza Hussain owns a flat bearing, Flat No. 12 "A" Wing Rosary House 297 Gun powder road, 4<sup>th</sup> Floor, Mazgaon Mumbai – 400

However, as there was no source of livelihood for the complainant he partitioned his flat in two portions. Out of the said two portions, one portion is being used by the complainant and other portion of the said flat used to be given on Leave and License agreement. Out of the proceeds of the Leave and License fee/compensation, the complainant earns his livelihood. Except the said income from flat fee/compensation, there is no other income source available to the complainant.

2] That, the accused Afzal Haji Khan, through some mediators and broker Jaysingh Pandey (mob. No. 9004280986), approached to the son of complainant. He requested to give him flat urgently as his family was supposed to come from Banglore and he did not have any residence for the same. Therefore, he requested to give the half portion of the said flat to him on Leave and License basis for a short period of one year. He also begged that on urgent basis the room may be handed over to him. The accused Afzal represented himself that he does not have any other accommodation in Mumbai. In this manner he won confidence of the complainant and son of complainant. He also assured that after one year he will vacate the premises. He shown himself as very innocent and needy person. Hence, believing upon his assurances and promises, the said room was given to him on Leave and License basis for the period of One Year. Accordingly, half portion of the said flat was granted on Leave and License to the accused Afzal Haji Khan and deed of Leave and License came to be executed between son of the complainant and accused Afzal Khan, and the said deed is registered Leave and License deed, bearing registration No. dated 10-05-2016 bearing no. BBE-2 4415 (21 pgs).

- 3] That, the accused Afzal Haji Khan, later on found not innocent, needy or otherwise. He involved in many suspicious activities, to which entire society was blaming the complainant and his son. However, the complainant had to assure them that the accused will vacate the premises on expiry of the flat, as he number of times assured. The said period of Leave and License had expiresed on 30-4-2017. Therefore, the complainant and his son Ali Raza, orally told the accused Afzal Khan about termination of the said Leave and License and informed him to vacate the premises. However, the accused requested to allow him few days as the flat he was shifting was under renovation. He later on shifted in the said flat situated at Fatima Tower (Maseera Height Flat No. 801). But, maliciously he kept some house hold article such as sofa etc in the said premises and used to request that within few days he would take his house hold at the earliest.
- 4] That, thereafter as per his criminal conspiracy, he introduced one Papa bhai, belonging to the community of the complainant, seeking further time to vacate premises. The said Papa & accused Afzal, on oath have requested for time. The said Papa took guarantee for vacating the premises and kept the complainant cool for some time. But later on, that the said Papa raise his hands saying he has nothing to do with the flat premises. When the complainant and his son, approached the said Papa Bhai, he flately refused to do anything for evicting/vacating accused Afzal the premises, as he promised. He further told that he cannot do anything and you look after yourself, he (Afzal) is just partner in some of his business. In this manner the said Papa, being his own man, was fraudulently, represented to the complainant as mediator. Hence, at the relevant time both Papa and Afzal cheated and played fraud upon the complainant and his son. It is now learnt that the said Pap is Partner of accused Afzal in his some business. Therefore, accused Pap is also guilty of cheating and fraud and needs to be dealt in accordance with law.
- That, the accused thereafter openly calling some call girls and characterless women in the premises. His hired persons, used to use the said premises for keeping drugs/contraband and other suspicious objects. Over the said illegal and immoral activities, the society members made various complaints to the complainant.

- 6] That, at last, the society on 1<sup>st</sup> April 2017 taken objection over suspicious activities and taking suspicious women in the society. All other members have made various complaints Afzal. Now many of the members are also got harassed and humiliated by his conduct. They are ready to give complaints to against him.
- 7] That, the Leave and License was already terminated by the son of complainant. However, the accused Afzal did not turn. Being enraged over the said termination, Afzal had sent one Siraj, who is his staff or relative.
- 8] The said Siraj used to come to premises and he standing on the father and threatened that various rooms have been blocked by Afzal Bhai for illegally extorting money, and he gave example of Fatima Manzil (Maseera Height Flat No. 801) saying " DO ROOM HAMARE KABZE MEY HAI" He further threatened old aged complainant to kill him, if he further ask to vacate the premises, He is goon and used to abuse, threatened the old aged complainant. In short, as per criminal conspiracy for grabbing and exrtorting money illegally from landlords, the accused Afzal, has obtain said premises with fraudulent and ulterior motives, to cheat and extort money from the complainant and his son. Needless to mention that right from beginning his intention was to cheat and extort money from the complainant and his son, by blocking the incoming sources of the complainant and to extort money for vacating the said premises.
- That, the accused no.1came at the residence of complainant and threatened the old-aged complainant, Mr. Noorani Ali Raza and demanded Rs. 10,00,000/- (Rs. Ten Lacs) saying that he would damage the premises if the said amount is not paid to him. He has also threatened that he kept his locks upon many other premises and occupied for extorting huge money from the owners of the said premises. He has also threatened to the complainant, with direct consequences, in the event of not fulfilling his demands. This act also constitutes criminal trespass, which is also punishable offence.
- That, despite of the terms of agreement, restraining him to carry out any illegal immoral activities or storing any contraband/ hazardous goods in the said premises, he has illegally utilizing and

allowing many criminals in the said premises for the purpose of keeping contraband substances in the said premises which is not only illegal but also against the terms of the agreement dated 10-05-2016

Needless to mention, that society's security staff and many members have objected, over such illegal activities. But, the accused persons are hardened criminal and carrying out such illegal activities using the said premises for storing contraband/NDPS substances. He openly challenging the complainant that he used to pay HAFTA and police officers are his good friends.

- In short, as per his MODUS OPERANDI, the accused no.1, has obtained said premises with fraudulent and ulterior motives, to cheat and extort money from the complainant and his son. Needless to mention that right from beginning his intention was to cheat and extort money from the complainant and his son, by blocking the incoming sources of the owners/complainant and to extort money for vacating the said premises. Therefore, complainant's son also issued legal notice to him terminating the agreement and called upon him to vacate the premises forthwith.
- That, even after receipt of notice, on 19/9/17, the accused no.1 continued illegal and immoral activities and threatening the complainant. On the same day he brought few females and males and came to the doors of complainant threatened him with dire consequences, if he takes objection over such illegal activities and told to complainant that his son issued legal notice to Afzal and therefore, now he has to pay Rs. 15 lakhs to the accused no.1. They also threatened that accused no.1 has close link with some police officers and is competent to falsely implicate the son of complainant in false rape or other criminal cases. He used filthy language with the complainant saying "BUDDHE, TUJHE MALOOM NHI AFZAL BHAI KI LINK KAHATAK HAI TUJHE MAAR BHI DAALU TO KUCH NHI HONGA MERA, OFFICERS JEB MEI RAKH KAR KAAM KARTA HU"

That, the said arrival of males and females of the accused no.1, and the aforesaid incidents, have been recorded in CCTV footages of the society. Hence, the CCTV footages may be seized and the said premises may be searched and seize the contraband or other

objectionable articles forthwith and the accused may be dealt with in accordance with law by registering F.I.R.

Similarly, when Narcotic Drug Cell police arrested few accused in the vicinity, on the said day, 3/4 persons took shelter in the said premises, by afzal. Due to the said incidence in the mid night the security staff took serious objections and society members also objected over suspicious activities. So there is possible nexus of the accused of NDPS, with above stated accused.

## 14] Therefore, it is just and necessary to:

- [i] to take cognizance of the offences of cheating, extortions, fraud committed by accused no.1 and his associates.
- [ii] to initiate search of the said premises and also register another offence, if contraband or other incriminating objectionable article found in the said premises.
- That, the accused no.1 has also committed many other offences, but he is having high level contacts hence he has been continuing his illegal activities, therefore, it is also necessary to investigate other offences committed by him and his associates.
- to take other appropriate action, as may be revealed during the course of investigation, in the circumstances.

This Complaint

Byculla

Date: 43/09/2017

Signature of Complainant.

H.A. Noorani

HUSAINALI NOORANI

C.C. to:

2] Joint Commissioner of Police (Law and Order) चोलीस आयुक्त, मुंबई बांपेकां । 25 09 । विशेष

for information and necessary action in the matter stated above.