

o/c

Date: July 7, 2021

To;
Police Inspector
Koregaon Park Police Station
Koregaon Park
Pune 411001

[Signature]
ठाणे अभिलेख
कोरेगांव पार्क पो.स्टे. पुणे
दि. 07/07/2021
[Signature]

CC to:

1. Asst. Commissioner of Police
Sadhu Vaswani Chowk
Camp, Pune 411 001
2. Deputy Commissioner of Police
Dr. Coyaji Road
Camp
Pune 411 001

टपाल प्राप्त
दि 07/07/2021

सहाय्यक पोलीस आयुक्त
लष्कर विभाग कार्यालय, पुणे शहर

[Signature]
PC 10316

Subject: Complaint for actions constituting offences of cognizable nature,
including the offences of cheating, fraud, and breach of trust.

Names and address of the Accused persons;

- 1- Michael Byrne (O'Byrne) Alias Swami Anand Jayesh
Ireland National passport no. Passport No: <LB0040057>

R/O Osho Ashram, 17, Koregaon Park, Pune 411001

Office at; 6F, Unit 6, KCR Business Estate Kimmage Dublin 12 Ireland

टपाल प्राप्त

पोलीस उप-आयुक्त परिमंडळ-२
पुणे शहर यांचे कार्यालय

[Signature]
R
Dudhakar
LPC 900000
दि. 07/07/2021.

Page 1 of 22

AND

River side One, Sir John Rogerson's Quay Dublin 2 Ireland

Email Address michael@mwbyrne.com

- 2- Dr. John Andrews, alias Dr. George Mercedith alias George Alexander
Stowell Whnn-Aubrey Alais Swami Amrito alias Swami Devraj
UK Passport no. <800473294>

Residing at;

- (i) Osho Ashram
17, Koregaon Park,
Pune – 411 001
AND
ii) Flat 1, 13 Palmeira Ave
Hove, East Sussex
BN3, 3GA, UK
Phone No.: 020 66019804
Email: amrito@osho.net

- 3- Darcy O'byrne alias Swami Yogendra alias Swami Anand Raj
Canadian National, Passport No. LB0105866
Osho Ashram
50-51, Koregaon Park,
Pune – 411 001

Mobile No.: +919764672233

Email: darcy@darcyobyrne.com

4. Ms. Ursala Hoess alias Ma Vatayana
R/o 50-51, Osho Commune International
Koregaon Park
Pune 411 001
Also at
Hauptstr. 40, 7777
Waldenbuch, Germany
Mobile No. +49 (0)177 9176373
+91 20 6601 9999, Extension 865
Email Address: vatayana@osho.net
5. Shri. Mukesh Kantilal Sarada Alias Swami Mukesh Bharati,
Age – adult
Occupation -Business
Residing at – Osho Ashram Plot no. 50, Lane no. 2
Koregaon Park,
Pune 411001.

Mobile no. +919820101930
Email: mukesh@osho.net
6. Mr. Devendra Singh Dewal Alias Swami Devendra Bharti,
Age – adult
Occupation -Business
Residing at – Osho Ashram,
Plot no. 50, Lane no. 2
Koregaon Park,
Pune 411001.

Mobile no. +919890177767

Email: devendra@osho.net

7. Mr. Lal Pratap Singh Alias Swami Yoga Pratap

Age – adult

Occupation -Retired

Residing at – Osho Ashram

Plot no. 50, Lane no. 2

Koregaon Park,

Pune 411001.

8. Mrs. Sadhana Belapurkar, Alias Ma Amrit Sadhana

Age – adult

Occupation -Business

Residing at – Osho Ashram, Plot No. 17

Koregaon Park,

Pune 411 001.

Mobile no. +919822027153

Email Address: sadhana@osho.net

Dear Sir,

1. The present complaint is being filed by Mr. Yogesh Thakkar, R/o B-701, Cassia Court CHS, Plot no. 302, Lane – D, Nr. Damco CHS, Koregaon Park, Pune 411001 Contact No +91 70203 07721 Email ID sosyogesh@gmail.com hereinafter referred to as “**the Complainant**”). The Complainant is a selfless devotee of Master Osho and the Managing Trustee of “Osho Friends

Foundation”, a Public Charitable Trust registered at Pune under the provisions of The Bombay Public Trusts Act, 1950 situated at Koregoan Park Pune. This trust is preserving the legacies of our master Osho. Since 2012 myself & others are trying to protect the interest and welfare of the said OIF trust and Osho Ashram by bringing to light, several misdeeds and offences committed by the Accused persons.

2. The accused persons have conspired and connived jointly and committed various criminal acts, wherein they have not only duped and cheated the public at large but also Osho International Foundation itself, of which Accused no. 5 to 8 are trustees. The accused persons 1, 2 & 3 have incorporated a private limited entity abroad specifically to siphon off donations which are the rightful entitlement of the Public Trust. Shockingly, the accused persons are accepting donations in the name of a Public Trust in foreign currency, when the Public Trust is illegible to receive any donations in foreign exchange.
3. The facts leading to the filing of the present complaint and the particulars of the accused persons are as follows.
4. Osho International Foundation (hereinafter referred to as “OIF”) is registered under the provisions of the Maharashtra Public Trusts Act, 1950 under P.T.R. No. F 14570 (Mumbai) vide Certificate of Registration dated 16.04. 1991 and, therefore, deemed to be a public charitable trust. It is also a Society registered under the Societies Registration Act, 1860 bearing No. GBBSD 141 OF 1991 dated 15.02.1991. The OSHO International Foundation its registered office address at 608, Maker Chambers V. 6th Floor, Nariman Point, Mumbai 400021. The copy of the registration

certification and Memorandum of Association of the Society are annexed herewith as **Annexure No. - 1** .

5. OIF carries out various activities to spread and impart education through formal training in the fields of art, science and humanities to develop knowledge, skills, mind and character, conducting courses in yoga, physiotherapy, disseminating knowledge of ancient and contemporary philosophies, study of comparative religions etc., with a view to educate on all aspects of mental, physical and spiritual development as per its objectives.
6. The main objective of OIF is "*to spread and impart the preaching of Shri Osho*". That OIF is involved primarily in carrying out spiritual activities such as Gyan, Dhyana, Sadhna Centre, Meditation Camps, conducting lectures and seminars on the subject of philosophy etc. of Master Osho. That since Shri Osho had followers and disciples spread all over the world, many foreign nationals are still Osho devotees and form an intrinsic part of the foundation.
7. Accused no. 1 **Mr. Michael Byrne (O'Byrne)** [*also known as Swami Anand Jayesh*] Ex Canadian and presently Ireland citizen, is the President of Osho International Foundation, Zurich since 5.12.1990 and controller in charge of the entire Osho Empire spread over Rs.1500 Crores of properties in India and royalty income of millions of dollars per year outside India. He is also the present Chairman of the "*Inner Circle*" which was a body of 21 members created by Osho formally known as Bhagwan Shree Rajneesh to manage the Osho movement all over the world including the ashram at Pune. He is a President of Osho International Presidium administering Osho's work in

India and abroad. He is also the finance head of any income arising out of Osho's properties in India as well as abroad.

Accused no. 1 has till date successfully managed to siphon off Properties and Articles of Osho from India to Switzerland, US, UK and Ireland. These Articles and Properties worth millions of dollars rightfully belong to the Trusts in India namely Rajneesh Foundation (Neo Sannyas Foundation) and Osho International Foundation, Mumbai. Accused no 1 is the Executor/beneficiary in the Forged Will of Osho.

8. Accused no. 2 **Dr. John Andrews** [*also known as Dr. George Meredith/George Alexander Stowell Whinn-Aubrey/Swami Amrito/Swami Devraj*] is a close associate of Accused no. 1. Accused no. 2 is the Vice Chairman of Osho International Foundation, Zurich, Vice Chairman of The Osho Inner Circle and Vice Chairman of Osho International Presidium. He is involved in many companies and corporations, which were specifically created to siphon off funds and assets of the trust/ foundation worldwide. Being Vice Chairman/ Vice President of Inner Circle, Accused no. 2 is having considerable control over the management and administration of the Properties, Valuable Articles and financial matters of the OIF in India as well as in Switzerland, Europe and US. Notably he is a witness of the Forged Will of Osho in relation to which proceedings are already pending in the Court of Ld. Civil Judge, Pune.

9. Accused no. 3 **Mr. D'Arcy O'Byrne** [*also known as Swami Yogendra/Swami Anand Raj*] is the younger brother of Accused no. 1 and is a member trustee of the Osho International Foundation, Zurich Switzerland [*Previously known as Neo-Sannyas International Foundation Zurich,*

Switzerland]. Accused no. 3 is involved in the management and administration of Osho International Foundation, Mumbai and Osho Commune, Koregaon Park, Pune and has the final say in all micro level control decisions of the Osho Ashram at Pune. Accused no. 3 exercises complete control over the entry of visitors and devotees in the Osho Ashram and anyone who speaks against the management and the board of trustees is banned from entering Osho Ashram. Copy of emails sent to the visitors and participants in Osho Ashram is annexed herewith and marked as **Annexure No. 2.**

10. Accused no. 4 Ms. Ursula Hoess [*also known as Ma Vatayana*] is a Coordinator of Osho Global Connection a part of Osho International Foundation. She is working as a close associate of Accused No. 1, 2 No.3. She also executes projects and directions from Accused no. 1 ,2 and 3 in Osho Commune International, Koregaon Park, Pune, India as well as Outside India. She has been a essential part of the crimes taken place in the present case of cheating and money laundering. The details of her involvement are more particularly exposed in the email communications attached herewith as well as in the copy of the witness statement deposited by her before the Office of the Community Trademark Registration, Spain. The witness statement is annexed herewith as **Annexure No. - 3.**

11. Accused no. 5 **Mukesh Kantilal Sarda** [*also known as Swami Mukesh Bharti*] is a US citizen holding passport no Passport US; No. 447616275 Date of Issue: 27/2/2009, Place: San Francisco. Over the last few years, he has often been staying at Hotel Taj Mahal, Mumbai. Accused no. 4 is the Managing Trustee of OIF in Mumbai and Zurich, Switzerland as well as in Neo Sannyas Foundation formally known as Rajneesh Foundation, Mumbai,

and he is a Director of the private limited company, Osho Multimedia and Resorts Pvt. Ltd. He is also a director in all the shell private companies registered in India and is actively involved in alienation and misappropriation of the funds and properties of the OIF. It is submitted that these shell companies are special utility vehicles created with the sole motive to siphon off funds and properties of the said public charitable trusts including OIF for the personal benefit of the Accused persons.

12. Accused no. 6 **Mr. Devendra Singh Dewal** [*also known as Swami Devendra Bharti*], Accused no.7, **Mr. Lal Pratap Singh** [*also known as Swami Yoga Pratap*] and Accused no. 8 **Ms. Sadhana Belapurkar** [*also known as Ma Amrit Sadhana*] are the Trustees of OIF and directly and actively involved in alienation and misappropriation of the funds and properties of the OIF . Accused no. 5 and 6 are also directors of several shell private limited companies . A copy of Schedule I of the trust indicting the names of the Accused No. 5 -8 as trustees is annexed herewith marked as **Annexure No. 4**

13. It is submitted that OIF is owner of various plots and lands in the posh area of Koregaon Park Pune. The OIF is holding properties popularly known as Osho Ashram / Osho Commune International. OIF has acquired the aforesaid land and constructed and developed various buildings and facilities. Thousands of Osho disciples have worked and put millions of hours of time, and hundreds of crores of rupees in making of the trust properties. The Osho disciples coming from all over the world have dedicated their time, money and energies out of love and gratitude for their Guru Osho.

14. One of such properties of OIF is the Tilopa Pyramid building (hereinafter referred to as “**Tilopa property**”) situated at Plot no. 50-51, Lane no. 2 Koregaon Park, Pune 411 001, State of Maharashtra, India). The said Tilopa Property building construction consists of studio rooms/ units as well as Pyramid shape meditation halls. The rooms are used as a guest house as well as providing accommodation facilities for the Donors and participants who are visiting Osho Ashram. The Pyramid shape Hall is used for the OSHO groups, OSHO therapies and other such OSHO meditation programs. These participants attend meditation programs in Osho Samadhi as well as in the said meditation Halls from India as well as all over the world. The donors in their individual capacities are contributing by time, money and being a volunteer working in the trust premises. The occupiers of the said rooms are required to pay charges for the same on daily basis. The said rooms are Double Rooms i.e. two persons can share the room on twin sharing basis. The occupation charges also referred as rent / contribution for the Commune activities is charged as Rs.3,000 to 4,500/- per day. Some devotees also contribute lump sum amounts for booking such rooms on a long term basis so that they do not face any difficulty in searching for rooms whenever there is higher footfall. Such rooms can even be used by other devotees, however, priority is given to the devotee who has made such large contributions. The Share Certificates and Change reports of the OIF trust indicating holdings of the said Tilopa property as annexed herewith marked as **Annexure No. - 5**.

15. Recently, the Complainant has received various emails during the months of April to June 2021 wherein fraudulent and criminal acts committed by the accused persons on one of the devotees as well as the property of the Trust has been brought to the knowledge of the Complainant. The Complainant

received several emails from one of the devotees of Master Osho, a foreign national by the name of Ms. Christine Claudine Elisabeth Nold (hereinafter referred to as “Ms. Christine Nold”) detailing the fraudulent acts of the Accused persons in regard to the misuse of the Tilopa Property. Vide the said emails it is revealed that Ms. Christine Nold as well as the Public Trust have been duped and cheated by the Accused persons. Details of Ms. Christine Nold are as follows:

Name: Ms. Ms. Christine Claudine Elisabeth Nold

Sannyas Name: Ma Prem Vajra

Address: ZIEGELWEG 2 4102 BINNINGEN DAMSTADT GERMANY
And

Carl-Ulrich Str. 5, D-64297 Darmstadt, Germany

Contact No: +49 6151 9555285 and Mobile no. +49 6151 5995286 , What’s App mobile no. +49 1522 4377674

Email ID: vajra.nold@gmx.de

Passport No: C5H7LYKK7- NATIONALITY DEUTSCH (GERMANY)

Place of Issue of Passport: STADT DARMSTADT

Date of Issue of Passport 29.01.2019 VALID TILL 28.01.2029.

A copy of the passport of Ms. Christine Nold is annexed herewith marked as **Annexure No. – 6.**

16.The Accused persons have not only induced the foreign national, Ms. Christine Nold to part with a huge amount of USD 370,000 (approximately INR 2,75,00,000/- Rs. Two Crores Seventy Five lakhs) towards booking of Room no. 107 in the Tilopa Property, but shockingly no such amount has ever been received by the Public Trust. That Email correspondence which is annexed herewith as **Annexure 7 (Colly)**, pertaining to the year 2017

between Ms. Christine Claudine Elisabeth Nold and Accused no. 3 and Accused no. 4 reveals that the bank account details given by Ms. Christine Nold for transferring the amount is not of Osho International Foundation but of one company registered in Hong Kong by the name of 'O International Digital Media Limited' wherein two of the Trustees of OIF are Directors namely Michael O'Byrne and John Andrews Vide email dated 19.03.2017, Accused no. 3 had shared the following details of the bank account with Ms. Christine Nold and instructed her to transfer the amount of USD 370,000 to the said account:

- **Beneficiary:** O INTERNATIONAL DIGITAL MEDIA LIMITED
- **Beneficiary address:** Unit 1307, Tower 2, Lippo Centre, 89 Queensway, Hong Kong Tel: (852) 2880 9480
- **Bank Name:** Bank of China (Hong Kong) Ltd.
- **Account no.:** USD Savings A/c 012-916-92-59605-0
- **Swift Code:** BKCHHKHHXXX

The true copy of certificate of the said USD 370,000 issued by the **E. GUTZWILLER & Cie BANQUIERS on 31st May 2021** is annexed herewith and marked as **Annexure No. 8**. The Complainant has the Original Copy of this certificate, the same shall be made available before the IO as and when required.

17. It is submitted that Ms. Christine Nold has written to the Complainant and revealed that Accused no. 3 represented to her that the aforesaid monies being transferred by her would be used towards digitalizing Osho discourses and Ms. Christine Nold under the honest belief that the Accused no. 3 being

the brother of Accused no. 1 and intricately involved with the management and operation of OIF would be acting in a bonafide manner, did not question the authenticity of such transfer of money and transferred the sums as demanded by Accused no. 3 to the bank account of ‘O International Digital Media Limited’. Ms. Christine Nold transferred an amount of USD 370,000 (approximately INR 2,75,00,000/- Rs. Two Crores Seventy Five lakhs) into the said bank account during the period April 2017 to July 2017. The amount was transferred by Ms. Christine Nold in tranches on the following dates:

Date of transfer	Amount
03.04.2017	USD62000
07.04.2017	USD62000
12.04.2017	USD61000
27.07.2017	USD62000
27.07.2017	USD61000
27.07.2017	USD62000

The copy of the summary of bank statements evidencing the transfer of funds is annexed herewith as **Annexure No. 9**.

18. Upon inquires made by the Complainant, it is learnt that as per the Master Data of O International Digital Media Limited the same was incorporated in Hong Kong on 05.11.2009 and has two directors namely Mr. Michael O’

Byrne and Dr. John Andrews i.e. Accused no. 1 and 2. It is also learnt that the aforesaid company is not even remotely linked in any manner to the Public Trust. This being the case on what basis are the accused persons misrepresenting to devotees that they are, through the aforesaid company, accepting hard earned money of the public at large. Copy of Master Data available at the website of Companies Registry, Hong Kong is annexed herewith as **Annexure No. 10.**

19. It is also pertinent to bring to the attention of your good office that, the Accused Persons have utilized huge amounts of the Public Trust fund to develop the very same room, i.e. Room No. 107 in Tilopa Property. It is also pertinent to mention that Accused no. 4, was the point of contact for Ms. Christine Nold Ms. Christine Nold and was frequently communicating with Ms. Christine Nold by way of emails discussing the development and renovation of the Unit. A copy of layout in respect of the said Unit / Room no. 107 is annexed herewith Marked as **Annexure No. 11** It is pertinent to mention that accused no. 8 is the right-hand aid of Accused no. 1. 2 and 3 and only takes instructions from them. It is pertinent to note that despite having no role in the Trust she has been closely involved in the development of the said Room no. 107. Reliance is placed on emails which are already annexed as **Annexure 7 (Colly)**. Ms. Christine Nold in her email dated 22.06.2021 sent to the Complainant has stated

“All the conversation about the renovation was with Vatayana and then Jayesh) was asked if the plans are fine or through her or through some other person. He had to be informed about the changing and his approval was needed. Also the former cloth cabinets were changed. The most of

communication I had for the renovation of the room, which happened in the summer months, during my stay in Germany, was with Vatayana. She coordinated it together with the employed Indian construction in charge, Shankar, an intelligent man, who knows how things can be done.”

20. It is submitted that after receiving \$ 370,000/- in the account of the said O International Digital Media Limited one Mrs. Zareen Mody handed over possession for the occupation of the said Tilopa Property in Pune, India to Ms. Christine Nold. The emails received from Ms. Christine Nold are already annexed herewith as **Annexure 7 (Colly)**

21. The aforesaid action is absolute misuse of the funds of the Public Trust as the Accused persons have no right to utilize the Trust's money for Room No. 107 when no such amount for booking of Trust property is received by Trust. That huge amounts out of the funds of OIF has been utilized towards renovations and development of the said Tilopa Property Room no. 107 clearly evidences the fact that Accused no. 5-8 have in connivance and conspiracy with Accused no. 1-4 apart from acting in complete breach of trust, are cheating devotees by seeking money on behalf of the Public Trust and pocketing the same into their own accounts, thus unjustly enriching themselves at the cost of the Public Trust. The aforesaid clearly confirms the connivance of all the accused, i.e. Directors of O International Digital Media Limited, Trustees of the OIF and the accused No.3 and 4 as otherwise there is absolutely no reason for the OIF to spend a huge sum of money on renovation of the very same Room No. 107, against which the Directors of O International Digital Media Limited and Accused no. 1- 4 have induced Christine Nold to part with USD 370,000/-.

22. It is further shockingly been revealed that even Ms. Christine Nold has been induced to part with the said amount under the pretext that the amount transferred by her would be utilized for the welfare, wellbeing and benefit of the OIF Trust and its beneficiaries. Ms. Christine Nold in her email dated 22.06.2021 sent to the Complainant has stated

“Raj informed about the payments, that through the progressing of the renovation the payments were due. The full sum had to be paid in six parts, between 60.000 and 65.000 dollars each, transferred to an account in Hongkong as seen on the receipts I have been sending, the accounts name being O INTERNATIONAL DIGITAL MEDIA LIMITED Unit 1307, Tower 2 Lippo Centre, 89 Queensway Hong Kong. Raj told me that my money had helped for digitalizing Oshos discourses. They had needed some instalment earlier, as he wrote, to finance tis work”

However, no amount has till date been received by OIF though the accused are using the Trust funds to develop the said property. Ms. Christine Nold aggrieved by the illegal acts of the Accused persons contacted the Complainant herein being Managing Trustee of Osho Friends Foundation as she knew that the Complainant and members of Osho Friends Foundation are devoted to protecting the interest and welfare of the said OIF trust and Osho Ashram and have been involved in bringing to light, several misdeeds and offences committed by the Accused persons. The emails received from Ms. Christine Nold are already annexed herewith as **Annexure No. 7 (Colly)**.

23. Therefore, from the aforesaid it is apparent that the sums of money received from Ms. Christine Nold against the said Tilopa property on the pretext that that same would be utilized towards the benefit of the OIF had not been

transferred, nor was it eventually deposited in the account of OIF and the same has been illegally and fraudulently misappropriated and siphoned into the account of 'O International Digital Media Limited', which has no nexus or connection whatsoever with the OIF. It is further important to bring to the attention of your good office that the aforesaid company is nothing but a shell company incorporated specifically by the accused persons to receive money from devotees by way of inducement and misrepresenting that the same is being accepted on behalf of and to fulfill the objectives of the Trust. Whereas the fact of the matter is that the Trust has not even seen the light of day of such funds being illegally received by the accused persons.

24. It is submitted that the funds meant for the benefit and betterment of the OIF have been misused and transferred by the Accused persons with malafide intention and oblique motives causing wrongful loss to Public Trust and other innocent devotees, including Ms. Christine Nold in order to make wrongful gain to themselves.

25. It is submitted that the Accused persons conspired to fraudulently induce Ms. Christine Nold to deliver monies to them against the said Tilopa property on the pretext of it being utilised for the benefit of the Trust for embellishment of the Osho Ashram / Commune and Osho's work. These representations were made to Ms. Christine Nold without any intention of performing them and knowing them to be untrue. Once investigated, it may be revealed that there may be many other innocent devotees who may have been fooled, cheated and induced to part with their hard earned money, by the aforesaid accused and other unknown persons. In light of the aforesaid circumstances, the perpetrators are liable to be punished under **Section 420 of the IPC r/w 34 of the IPC.**

26.It is further submitted that the Accused no. 5 being the Managing Trustee and Accused no. 6 – 8 being the Trustees of OIF, which is also registered as a Society under the Societies Registration Act, 1860 (as detailed in Para 10 above) and entrusted with the properties of the Trust are responsible for the management of the same and are duty bound to maintain the properties for the benefit of the beneficiaries and required to apply the income generated from rents/profits from the properties for the benefit of the beneficiaries. However, as detailed aforesaid, the Accused no. 5 - 8 in connivance and conspiracy with Accused no. 1-4 have misused the property of OIF entrusted to them as Trustees and dishonestly misappropriated the income to the tune of USD 370,000 generated from the use of Unit no. 107 in the Tilopa Property for their own benefit by siphoning of the funds to the account of a shell company instead of utilising the same for the advancement of beneficiaries and members of the OIF and have thereby, committed the offences punishable under **Sections 406/409 IPC r/w 120-B IPC**.

27.Several proceedings are pending against the Accused persons for forgery, cheating, criminal misappropriation before various Courts. List of the pending proceedings is annexed herewith as **Annexure No. 11**.

Notably the present information of the misappropriation is not part of any proceedings in the said cases.

28.It is submitted that *modus operandi* of the Accused persons is to induce innocent persons and devotees to part with their hard monies on the pretext

that the same would be used for the benefit of the Trust and its beneficiaries, and to facilitate the object of the Trust, and thereafter to siphon off and dishonestly misappropriate the said funds for their personal benefit. The Accused no. 5 to 8 having been entrusted with the properties of the OIF in their capacity as Managing Trustee and Trustees respectively, in conspiracy with Accused no. 1-4 misused and dishonestly misappropriated the properties of the Trust for their own benefit instead of utilising the same and the income generated therefrom for the advancement of beneficiaries and members of the OIF. The Accused persons have conspired and deliberately misappropriated the properties of the Trust and the income generated from the same for their own use and have thereby, committed the offences punishable under **Sections 406/409 IPC r/w 120-B IPC.**

29. It is submitted that the Accused persons have elaborately planned a criminal conspiracy to deceive and cheat Ms. Christine Nold and the beneficiaries of the OIF Trust including the Complainant, by their deceitful representations that the income generated from the properties of the OIF would be used for the progress and advancement of the objects of the Trust and the betterment of the commune. The Accused persons have misused the Trust properties and have dishonestly misappropriated and laundered the income generated from the same for their personal benefit by siphoning the funds to shell companies of which the Accused persons are Directors, as detailed aforesaid.

30. It is further submitted that the income generated from the OIF's properties situated in India have been siphoned off to a private limited company incorporated in Hong Kong which has resulted in loss of foreign exchange to the tune of USD 370,000 to the Country.

31. Considering the information available with the Complainant at present, it is evident that the Accused persons and their unknown associates/co-accused persons are involved in commission of offences under sections 34, 120B, 406, 409, 420 etc. of the Indian Penal Code, 1860 as well as attract the provisions of the Prevention of Money Laundering Act.

32. It is humbly submitted that the allegations are serious in nature and require interrogation of the Accused persons as well as forensic audit of voluminous records of the Trust and the several shell companies in India and abroad. Further, the role of unknown persons involved in the conspiracy along with the named accused persons is also required to be unearthed. In light of the aforesaid facts, circumstances and documents furnished, you are requested to please register an FIR under Section 406, 409, 420 r/w 120B the Indian Penal Code, 1860 and any other section which your good offices deem fit and take necessary against the Accused Persons.

Yours Sincerely,



Mr. Yogesh Thakkar,
Managing Trustee;
Osho Friends Foundation
B-701, Cassia Court CHS, Plot no. 302
Lane - D, Koregaon Park
Pune 411001

Contact No +91 70203 07721
Email ID sosyogesh@gmail.com

ENCL:

Annexure No. 1 - 12.

List of documents enclosed:

1. The copy of the registration certification, Memorandum of Association and Rules and Regulations of Osho International Foundation under the Maharashtra Public Trusts Act, 1950.
2. Copy of emails sent to the visitors and participants in Osho Ashram by Mr. D'Arcy O'Byrne (Accused no. 3 herein).
3. Copy of the witness statement deposed by Ms. Ursuala Hoess (Accused no. 4 herein) before the Office of the Community Trademark Registration, Spain.
4. Schedule I - indicating the names and property details of the Trust
5. Copy of the Share Certificates and Change reports of the OIF trust indicating holdings of the said Tilopa property
6. Copy of the passport of Ms. Christine Claudine Elisabeth Nold.
7. Email correspondence pertaining to the year 2017 between Ms. Christine Claudine Elisabeth Nold and Mr. Michael Byrne, Mr. D'Arcy O'Byrne [Accused no. 1 and 3 herein] and Ms. Ursuala Hoess [Accused no. 4 herein] and the emails written by Ms. Christine Claudine Elisabeth Nold to Mr. Yogesh Thakkar in June 2021.
8. True Copy of the Bank Statement dated 31st May 2021 issued by E. GUTZWILLER & Cie BANQUIERS to Ms. Christine Claudine Elisabeth Nold.
9. The summary of transfer of funds by Ms. Christine Nold
10. Copy of O International Digital Media Limited - master data available at the website of Companies Registry, Hong Kong and Osho International and Osho Media International Limited, Ireland

11. Lay out of the Unit No. 107 at Tilopa Property
12. List of the pending cases against Accused persons