



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NEW DELHI
FINAL REPORT
(U/s 173 Cr P C)**

BEFORE THE HONOURABLE SPECIAL JUDGE NIA PANCHKULA HARYANA,

STATE

V/s

NABA KUMAR SARKAR @ SWAMI ASIMANAND AND OTHERS

1. **Name of the Police Station** : National Investigation Agency,
New Delhi.
FIR No. : 09/2010
Year : 2010
Date : 29/07/2010
2. **Final Report/ Charge Sheet No.** : 03/2011
3. **Date** : 20/06/2011
4. **Sections of Law** : Section, 120-B r/w 302, 307,324,326
124 A, 438 & 440 of IPC, Section 150,
151,152 of Railways Act, Section 3, 4,6
of Explosive Substances Act 1908 &
Section 3, 4 of Prevention of damage
of Public property Act 1984 and
Section 13,15,16,17, 18, 19 & 23 of
UA (P) Act.
5. **Type of Final Report** : Final Report/Charge Sheet

6. **If Final Report un-occurred-False/ Mistake of fact/ Mistake of law/ Non Cognizable/ Civil Nature** : No
7. **If charge sheeted : Original/ Supplementary** : Original
8. **Name of Investigating Officer** : Shri. Vishal Garg,
Addl. Supt. of Police,
NIA, New Delhi.
9. **Name of the Complainants/ Informants** : Shri Ranjit Singh, ASI 624,
Police Post GRP
Panipat, Haryana
10. **Details of properties/ Articles/ Documents recovered/ seized during Investigation and relied upon** : As per the list enclosed in
Annexure B & C

11. Particulars of accused persons charge sheeted

A-1

a.	Name	Naba Kumar Sarkar @ Swami Asimanand
b.	Father's Name	Late Bhibuti Bhusan Sarkar
c.	Age	60 yrs (in the year 2011)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	-
g.	Religion	Hindu
h.	Occupation	Spiritual leader
i.	Address (present)	Shabridham Ashram P.O. Subair, Ahwa, Dang District, Gujarat
j.	Address (permanent)	As above
k.	Whether Arrested/On Bail/Absconding	Arrested on 23.12.10 Presently under Judicial Custody in Ambala Jail.

A-2

a.	Name	Sunil Joshi @ Sunilji @ Manoj Joshi @ Manoj @ Guruji (since dead)
b.	Father's Name	Late Shyamlal Joshi
c.	Age	(since dead)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	Not Known
g.	Religion	Hindu
h.	Occupation	Small business
i.	Address (present)	H.No F-7, Vikas Nagar, Dewas, Madhya Pradesh
j.	Address (permanent)	-do-
k.	Whether Arrested/On Bail/Absconding	Dead (Murdered)

A-3

a.	Name	Ramchandra Kalsangra @ Ramji @ Vishnu Patel
b.	Father's Name	Shri Gopal Singh Kalsangra
c.	Age	41 Yrs (in the year 2011)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	Not Known
g.	Religion	Hindu
h.	Occupation	Electrician
i.	Address (present)	1.) House No. 26, Shri Ram Nagar Main Indore (MP). 2.) House No.22 Shanti Vihar, Bengali Chouraha, Kanadia Road, Indore (MP).
j.	Address (permanent)	Village Gopipur, P.S Kotwali, Disstt. Shajapur M.P
k.	Whether Arrested/On Bail/Absconding	Absconding

A-4

a.	Name	Sandeep Dange @ Parmanand @ Teacher
b.	Father's Name	Vishwas Kashav Dange
c.	Age	41 Yrs (in the year 2011)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	Passport No. F 1003400 , DOI 16.12.04 Expiry Date 15.12.14 , issued by Passport office Bhopal
g.	Religion	Hindu
h.	Occupation	Engineer
i.	Address (present)	House No. 360, Lokmanya Nagar, Labhchanda Chajlani Marg, Indore
j.	Address (permanent)	-Do-
k.	Whether Arrested/On Bail/Absconding	Absconding

A-5

a.	Name	Lokesh Sharma @ Ajay Tiwari @ Ajay @ Kalu
b.	Father's Name	Gopal Krishan Sharma
c.	Age	34 Yrs (in the year 2011)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	Not Known
g.	Religion	Hindu
h.	Occupation	Property dealer
i.	Address (present)	H.No. 180, Sanghi Street, Mhow, Distt. Indore,
j.	Address (permanent)	-Do-
k.	Whether Arrested/On Bail/Absconding	In Judicial Custody

12. (i) Particulars of

Witnesses examined : Separate list attached as **Annexure-A**

(ii) List of documents : Separate list attached as **Annexure-B**

(iii) List of articles : Separate list attached as **Annexure-C**

13. If FIR is false, action taken : N.A

14. Result of laboratory analysis : Attached separately

15. Brief of the case

15.1 The instant case pertains to the terror blast carried out by a group of people in pursuance of a criminal conspiracy with an intent to threaten the Unity, Integrity, Security and Sovereignty of India and to strike terror in the people of India and in a foreign country. The terror act was done by using improvised explosive devices (IED) along with the inflammable substances, which caused blasts in the Attari Express (Samjhauta) train at Panipat, Haryana on 18th Feb 2007. This blast and the consequent fire in the train resulted in the death of 68 persons and injuries to 12 train passengers including women and children travelling in the same train. The explosion and consequent fire in the train resulted in the incineration and destruction of several train coaches, thus causing huge loss to the public property of the Indian Railways.

15.2 In this terrorist act, not only Indian civilians and government officials got killed and injured but a large number of Pakistani nationals also got killed.

15.3 This case was initially registered at Police Station GRP Karnal (Haryana) vide FIR No. 28/2007 dated 19.02.2007 on the basis of a telephonic message received by the PS at 03:00 Hrs from ASI Ranjit Singh, PP/GRP, Panipat. As per the initial information, two coaches (No. GS 03431 & GS 14857) of train No. 4001 Up Attari Express, which had departed from railway station Diwana at 23.53 Hrs, caught fire. The incident happened between Diwana and Panipat (KM No.82/2-7). Initial investigation has brought out that, the coaches caught fire as a result of two bomb explosions. Due to the explosions and subsequent fire, total 68 persons (64 civil passengers and 4 Railways officials) were killed and 12 persons got injured. This seditious act of terrorism was committed with an aim to kill the civilian passengers/Railway and Police officers on duty in the moving train.

15.4 The initial investigation was done by GRP/ SIT Haryana Police and subsequently, in compliance of order no. 11034/16/2010-IS/VI dated 26-07-2010 of Ministry of Home Affairs, Govt. of India, New Delhi, the National Investigation Agency (NIA) took over the investigation by registering the instant case as Cr. No. 09/2010, dated 29th July 2010.

16. Facts disclosed during investigation

16.1. The investigation has brought out that, on 18-2-2007, the train No. 4001 UP Attari Express (Samjhauta Express) was parked at platform No.18 of railway station Delhi junction for departure to Attari. As per its schedule, at about 2250 hours, the above train departed from the platform for Attari. Sh. Kiran Diwan, Sh. Sanjay Kumar and Sh. R. D.

Singh were deputed as driver, co-driver and guard respectively of the said train. Additionally three railway officials namely Sh. Shaukat Ali Head TTE, Sh. Rajesh Sharma TTE and Sh. Lalit Kumar TTE were also on board. The train had 16 coaches bearing following Numbers-:

- i). NR SLR 00719
- ii). NR GS 04420
- iii). NR GS 98470
- iv). NR GS C 219066
- v). NR GS 98482
- vi). NR GSCN 96297
- vii). NR GSCN 96266
- viii). NR GS CN 99251
- ix). NR GSCN 96236
- x). NR GS 10855
- xi). NR GS 03432
- xii). NR GS 03431
- xiii). NR GS 14857
- xiv). NR GS C2 19054
- xv). NR GS C2 19113
- xvi). NR GSCR 04703

16.2. Out of the above mentioned 16 coaches, four were reserved 2nd class sleeper coaches and remaining were unreserved general coaches. The four sleeper coaches were

placed in the middle of the train, whereas unreserved coaches were placed in the front portion (engine side) and in the rear portion (guard side).

16.3. In pursuance of the criminal conspiracy, the accused persons with common intention and motive caused explosion in 4001 Delhi – Attari express (Samjhauta train) in the intervening night of 18th/19th Feb 2007 at about 23:53 Hrs while passing through Diwana Railway Station near Panipat, Haryana. Two unreserved coaches bearing No. NR GS 03431, NR GS 14857 caught fire after the explosion. As a result, 67 people were killed on the spot and 13 passengers got injured, who were shifted to Safderjung Hospital, New Delhi for treatment. Thereafter, one injured person namely Harril also succumbed to his injuries in the Safderjung Hospital, New Delhi. Thus, the number of killed persons rose from 67 to 68. 12 injured persons were later discharged from the hospital after their treatment.

16.4 Investigation further disclosed that, four (04) Improvised Explosive Devices (IEDs) were planted in unreserved compartments, out of which the IED placed in 12th compartment (No. NR GS-03431) and 13th compartment (NR GS-14857) exploded. The explosion was followed by fire in the compartments. One unexploded IED in a suitcase was recovered from 15th (NR CZ- 19113) compartment which was exploded in the process of diffusion by the technical personnel. However, one unexploded IED in suitcase was recovered from the spot down the railways line (on the railway track near 15th compartment).

16.5 The defused/destroyed IED debris etc. found at the scene of crime was duly examined by experts. As per the expert opinion, following facts were disclosed:

- i. Both the IEDs were having high explosive material like pentaerythritol tetra nitrate (PETN), radicals of nitrite Trinitrotoluene (TNT), cyclonite (RDX), sulphur, potassium chlorate, Petrol, diesel, mixture of petrol, Diesel and Kerosene.
- ii. No commonly used explosive material or their decomposition products could be detected on post explosive debris.
- iii. Electronic switching/relay circuit was not found in working order.
- iv. The exhibits could be assembled to form a suitcase improvised explosive (IED) incendiary type device. The Orpat clock (alarm circuit) along with electronic triggering/switching circuit and a battery could be used to trigger the device at a prefixed alarm time.
- v. Exhibits could form part of exploded/burnt 'GEHI PET' brand plastic bottle.
- vi. Cast iron metallic pieces could be part of exploded pipe bomb.
- vii. The holes in exhibits metal sheet and damage in luggage carrier have been caused by explosion/splinters.

16.6 Investigation has further brought out that, the suitcase cover with APOLO 600 (hand written on it), was purchased from Abhinandan Bag Centre, Kothari Market, Indore. Puran Singh, a worker of the shop was on the sales counter at that time. Iqbal Hussain, a tailor at M K Bag Centre, Kothari market, Indore had stitched the same cover and put his mark on the cover by writing APOLO 600. The questioned writing "APOLO 600", written with blue ball point pen on the inner side of suitcase along with the specimen hand writing of Iqbal Hussain was sent to the hand writing expert at FSL Madhuban, Haryana. The questioned writing was examined by the expert and as per the expert opinion the

questioned writing was that of Iqbal Hussain. The blue colour cloth which was seized from the Abhinandan Bag Centre and the Denim Jeans cloth seized from M. K. Bag Centre Kothari Market, Indore were also sent to FSL Madhuban. The experts after examination opined that the clothes seized from Abhinandan Bag Centre and M K Bag Centre were similar in colour, design, physical/microscopic appearance, texture with the suitcase covers found at the scene of crime.

16.7. The explosion caused a loss to the exchequer of the Govt. of India amounting to Rs. 6.92 crores, in the shape of damage to Public Property and compensation paid to the killed and injured persons till date.

16.8 The investigation has brought out that, one Bharat Bhai r/o Valsad, Gujarat met Naba Kumar Sarkar @ Swami Asimanand (**A-1**) r/o Shabridham (Gujarat) in the year 1999 and became his close disciple. Further, during the year 2003, Swami Asimanand met one Pragya Singh r/o Surat and Sunil Joshi @ Manoj (**A-2**). All four of them viz., Sunil Joshi @ Manoj, Bharat Bhai, Pragya Singh and Asimanand became very close to each other.

16.9. Investigation has further brought out that, Asimanand was quite upset with the Islamic Jehadi/terrorist attacks on Hindu temples like- *Akshardham (Gujarat)*, *Raghunath Mandir (Jammu)* and *Sankat Mochan Mandir (Varanasi)*. He used to 'vent out' his feelings of anger during discussion with Sunil Joshi @ Manoj, Pragya Singh and Bharat Bhai. All of them discussed the issue of Islamic Jehadi/ terrorist attacks on Hindu establishments and over a period of time, they developed vengeance against not only the misguided Jehadi terrorists but against the whole Muslim community as such. Asimanand, with an intention to

give a befitting reply to the perceived persecution by Hindus by the members of Muslim community propounded a “**bomb ka badla bomb**” theory.

16.10 Investigation has further disclosed that, during October 2005, in a meeting held at Surat, some participants including one Indresh Kumar visited Shabri Dham (Gujarat) to pay obeisance (*darshan*) to Shabri Mata Mandir. During the visit, Sunil Joshi @ Manoj **(A-2)** arranged a meeting of Asimanand with the said Indresh Kumar at Shabridham. During their discussion they discussed about jihadi attacks on Hindu places of worships and the need to give befitting replies.

16.11. During March 2006, after the blast at Sankat Mochan Mandir in Varanasi, Sunil Joshi and Asimanand held a detailed meeting at Shabri Dham, in which Asimanand told that they should no longer tolerate such kind of Muslim terrorist attacks on Hindu temples. Swami Asimanand exhorted to retaliate against this by undertaking some terror attacks on the Islamic religious sites. Sunil Joshi informed him that he had some boys who were capable of doing such actions, but he also added that undertaking of any such mission would incur heavy financial expenses/logistic arrangements. Sunil Joshi also said that, for procuring the raw materials for fabricating Improvised Explosive Device (IED) for arms and ammunition and other items, he required not only money but also Asimanand's resourceful connections. To this, Asimanand readily agreed.

16.12. The investigation revealed that Asimanand gave Rs.25,000/- in cash to Sunil Joshi and directed him to visit along with Bharat Bhai, several places in UP and Jharkhand

to meet some resourceful Hinduvadi leaders. Sunil Joshi teased Asimanand by saying *“Swamiji is Rs.25,000/- mein kya hoga; isme to mere or Bharat Bhai ke jane - aane ka kharch hi nikalega.”* When Asimanand expressed his helplessness in giving more money, Sunil Joshi said *“bus aap apna ashirwaad hum per rakhiye, is karya ke liye paise denewale aur bhi log hain.”*

16.13. Investigation has further disclosed that around May, 2006, Sunil Joshi visited Shabri Dham on his return from Jharkhand & UP as directed by Asimanand. Both Sunil Joshi and Bharat Bhai briefed him about their visit. Sunil Joshi told Asimanand that they had gone first to Jharkhand, where Devender Gupta (Jamtara) helped him by providing some SIM Cards, pistols & explosives, After that, they had gone to Agra and further gone to Gorakhpur but could not get any help from any quarter. Sunil Joshi further informed Asimanand that, he along with Bharat Bhai went to Nagpur and met Indresh Kumar who helped him financially by giving him Rs.50,000/- in cash to meet out the expenditure for procurement of explosives and other materials.

16.14. Investigation has further brought out that, after returning from U.P. and Jharkhand, Sunil Joshi requested Asimanand to call for a coordination meeting immediately at the residence of Bharat Bhai known as *Thakurghar, Valsad Gujarat* for chalking out the future strategy of their mission. During June 2006, the **main conspiracy meeting** took place which was attended by Asimanand (**A-1**), Sadhvi Pragya and Sunil Joshi @ Manoj (**A-2**), Sandeep Dange @ teacher (**A-4**), Ramji (**A-3**), Lokesh Sharma (**A-5**) and Amit Chauhan and Bharat Bhai. Asimanand (**A-1**) was introduced to Ramji (**A-3**), Sandeep Dange @ teacher (**A-4**), Lokesh Sharma (**A-5**) and Amit Chauhan, by Sunil Joshi (**A-2**).

Manoj pronounced that **“yeh sabhi kaam ke ladke hai”**. Asimanand presided over the meeting in which he said **“Bomb ka jawab bomb se dena chahiye”**. All agreed with his views. It has been further brought out in the investigation that during the meeting Sandeep Dange @ Teacher got suddenly agitated and said **“chaaron taraf mandiron par hamley ho rahe hain aur hindu baithey hue hain, kuch nahi kar rahe hain.”** Sunil Joshi said **‘yahan hindu mar rahe hain, aur bharat sarkar samjhauta train chala rahi hai**. To this Sandeep Dange replied **“hum samjhauta train ko hi uda denge.”** Sandeep Dange was very annoyed with the ‘inaction by the Hindu leaders’ and he taunted **“Swami ji jaise hindu baithe hue hain, waise hi aap bhi baithe rahoge; jo kaam karne wala hai woh kaam karege hi”**. Sunil Joshi intervened and brought some order to the agitated discussion. Then Asimanand suggested to cause bomb blasts in Malegaon, Ajmer, Hyderabad and also in Samjhauta train as a retaliation against the attacks by Jehadi terrorists on Hindus and their religious sites.

16.15 Investigation has revealed that in the said meeting Sunil Joshi took the responsibility of causing all the blasts. Moreover, Sunil Joshi talked about target - **“Samjhauta Express Train”**, about which he and Sandeep Dange had already discussed. Sunil informed that Samjhauta train runs from India to Pakistan as a goodwill gesture. Sunil said **“ek taraf wo hum per ek ke baad ek atanki hamla karthe ja rahe hain or hum unse Samjhauta karne ke liye train chala rahein hain.”** Sunil Joshi said that they should, any how, stop this train and stressed to target this train, because most of the travellers in this train are Pakistani Muslims. Sunil Joshi had already done some ground work for causing blasts in this train. Sunil Joshi further told **“Is main visphot karne ke liye alag kism ka bomb lagaana padega; kaafi sara chemical istemal karna padegaa,**

chunki chalti train mein kae saare visphot ek saath karne hain, isliye sim card bomb nahi chalega". Sunil Joshi further added that Sandeep Dange is an expert in making bombs and he would undertake this project. Asimanand told Sunil Joshi that, he would try to contribute financially as much as possible. Sunil Joshi however assured Asimanand not to worry about money saying '*paisa dene wale aur bhi log hain.*' Sunil also told Asimanand that Rs. 25,000 /- that he had given to him earlier in March 2006, were spent on procuring train tickets for Bharat Bhai and himself and for procuring some SIM Cards, arms and explosives.

16.16. Investigation has further brought out that Sunil Joshi briefed them in the said meeting about the operational *modus operandi*, to be employed for causing all the bomb blasts. He said that there would be three groups/teams which would work independent of each other.

Group 1 : to consist of white collared people who would help in motivating youths for the missions and providing shelter to the field works.

Group 2 : to consist of members who would procure raw materials for fabricating bombs.

Group 3 : to consist of people, who would actually fabricate the bombs (Improvised Explosive Devices) and plant them at respective places.

16.17. It is evident that Asimanand asked Sunil Joshi, "*par Manoj bomb lagane ke liye chautha group ki jaroorat nahi hai kya?*" But Sunil Joshi assured that he had already thought about it and he was of the firm belief that the third group which would make bomb should plant it also, because of the 'technicality' involved in the fabrication of an Improvised

Explosive Device (IED). Sunil Joshi further added that, all these groups would not have any link among themselves. He suggested that these three groups would be in direct touch with him and no one from one group should even make endeavor to know the particulars of the members of other groups. Sunil further clarified that “*Swamiji aap aur Bharat Bhai jaise log pahele group ke sadasye hain*”. After this, meeting was concluded and Asimanand left for Ashram, and Sandeep Dange @ teacher, Ramchandra Kalsangra @ Ramji, Lokesh Sharma and Amit also left the venue. Sunil Joshi @ Manoj, Pragya Singh and Bharat Bhai stayed back. After Diwali in 2006, Sunil Joshi again met Asimanand at Shabri Dham and told him that Malegaon blasts (26th Sept 2006) were done by his boys. He informed, ‘*Swamiji ye hamare logon ne kiya hai.*’

16.18 It is further evident that on *Shivratri* day, (16th Feb. 2007), as per a premeditated plan, Asimanand reached Kardmeshwar Mahadev Mandir in Balpur, District Tapi in his Santro Car in the morning. By about 11 AM, both Bharat Bhai and Sunil Joshi joined him in the temple to celebrate *Shivratri*. In the late evening Sunil Joshi told Asimanand in the veranda outside the rooms “***news dekhte rahiyege, kuchh achhi kabar do-char din me milegi.***” They spent the night in the premises of temple. Next day, after taking breakfast, all left Balpur.

16.19. Investigation has further disclosed that around 20th Feb 2007, (after four days from *Shivratri*), Pragya along with her associates Neera Singh and one Ritesh Sharma again arrived at Shabridham, Dang from Surat by bus. Asimanand sent the *Ashram*’s Jeep to the Ahwa bus stand to pick them up. Sunil Joshi also arrived on the same day at the ashram and after that Sunil Joshi, Pragya and Asimanand had a secret meeting.

16.20. On seeing Sunil Joshi after the Samjhauta Blast, Asimanand told Sunil Joshi privately, to prick his ego, as *“aap toh Samjhauta ka zimmedhari liye thhe, ghatna toh ho gayi, aur aap yahin baithe ho.”* But Sunil Joshi replied **“Swamiji ye hamare logon ka hi kaam hai.”** Asimanand questioned him while he was physically present in Gujarat, how could he do this incident at such a far off place. To this, Sunil Joshi replied that ‘it was Teacher’s (Sandeep Dange) job.’ Sunil Joshi further said **“yakeen maniye swamiji yeh hamare Teacher (Sandeep Dange) aur uske ladkon ka hi kaam hai.”**

16.21. During the year 2007 Sunil asked Asimanand for some more money for the next blast, (which he intended to do at Mecca Masjid, Hyderabad). Asimanand was prepared for this and gave him Rs.40,000/- in cash.

16.22 Investigation has further disclosed that in May 2007, Bharat Bhai called Asimanand on phone and told that Manoj @ Sunil would be shortly coming to meet him in Shabri Dham for conveying ‘some news.’ After about a week, Sunil Joshi visited Shabri Dham and met Asimanand. He was carrying a Telugu newspaper which contained the news about the Mecca Masjid blast in Hyderabad. He showed the paper to Asimanand and claimed that it was again done by his boys. Sunil Joshi said **“Swamiji yeh hamara hi kaam hai.”**

16.23. Some days before the Ajmer blast (11.10.07), Sunil Joshi called Swami Asimanand on phone and said **“Swamiji khabarein sunte rahna, Jaldi hi achi Khabar milegi”.** After a few days, Sunil Joshi visited Shabri Dham along with one Raj and one Mehul and told Swami Asimanand that **“his boys carried out this blast too.”**

16.24. Investigation has further revealed that after the murder of Sunil Joshi on 29th December 2007, Swami Asimanand called one Col. P.S. Purohit and told that *“Manoj apna dedicated banda tha. Uske ladkon ne hi Ajmer blast kiye they.”* Asimanand further asked him to get information from his sources as to who had murdered Sunil Joshi.

16.25. The investigation has further disclosed that moving further on the hardline Hindu philosophy. Swami Asimanand attended a meeting at Nasik and delivered a speech along with Col. P.S. Purohit for starting a new Hindu organization namely *Abhinav Bharat*. Swami Asimanand further went to Pune and met Heemani Savaskar, Pramod Mutalik (arrested in blast case of Malegaon blast 2008).

16.26. Investigation further disclosed that, during Sept- Oct 2008, Asimanand drove his car up to Vyara bus stand, where he met both Sandeep Dange and Ramchandra Kalasangra @ Ramji. They hurriedly sat in his car along with their luggage (5-6 bags), which were apparently heavy. All three proceeded towards Vadodara. During the travel, on being asked, Sandeep Dange informed that they were coming from Maharashtra. They appeared to be very tense and during the entire journey, they hardly talked. Asimanand dropped them at junction of Rajpiplia-Vadodra.

16.27 Investigation further brought out that, Asimanand escaped from Shabridham when he learnt about the arrest of Devender Gupta and Lokesh Sharma in connection with Ajmer Blast. Asimanand, evading his arrest, reached at village Atmalpur, Haridwar in Uttaranchal and stayed along with one Swami Brahamanand by impersonating himself as

Swami Omakarnand and fraudently obtained a Ration card and a voter Identity card by submitting forged documents. Asimanand was finally arrested on 18th Nov. 2010 from village Atmalpur by CBI.

16.28. It is also evident that on 19-2-2007, Bharat Bhai and Sunil Joshi @ Manoj were watching TV at the residence of Bharat Bhai at Valsad, when the news about blasts in Samjhauta Express flashed. On watching this news on TV, Manoj @ Sunil Joshi cheerfully stated that **“Accha hua, yeh kaam apne teacher @ sandeep aur uske ladko ka hai. Finally usne kar hi diya.”** Some months later, on 11-10-2007, Sunil Joshi called Bharat Bhai and told him to switch on the TV and further told him that **“Hamne Diwali ke Bomb Phod Diye.”** Bharat Bhai switched on the TV and saw news flash of Ajmer Blast.

16.29. Investigation further disclosed that, on 19th Feb 2007, at around 12:00 PM, when Neera, Pragya and Lovely (Sister of Pragya) were present at her Surat residence, Pragya talked to someone on phone and asked whether **“Ladke thik hain”?** and immediately after phone call Sadhvi Pragya desired to watch TV News. All the aforementioned persons went to a flat in a nearby multi storied building of a housing society, (since there was no TV set in Pragya's house) and asked the lady present in house to switch on the TV set. When the TV was switched on, the news about Samjhauta Express Blast was being flashed in all the news channels. On seeing the visuals of the dead bodies being recovered from the blast site, Neera got seriously disturbed and started crying. On seeing this, Pragya told Neera that “tum kyon ro rahi ho”, to this; Neera Singh replied “Dekho kitne aur log mar gaye hain.” Sadhvi Pragya, on the contrary, was very jubilant and excited, and she gleefully said **“tum ro mat, yeh to sab kattley (Muslims) mar rahe hai.”**

When Neera Singh saw some Hindu names also in the list of deceased, she said that “Didi dekho Hindu bhi toh hain is main.” To this Sadhvi replied “Chana ke sath ghun bhi pista hai.” After watching the News, Pragya Singh expressed her desire to eat ice cream to celebrate the occasion.

16.30 Investigation has also disclosed that in the month of Oct. 2005, Sunil Joshi in Jaipur assigned the job of media management to Pragya Singh Ramji and Lokesh Sharma were given the job of collecting arms/ammunitions, and he himself took the responsibility of coordination and arranging finance.

16.31. During the investigation through the analysis of Call Detail Reports of various Mobile Phones, it was revealed that accused Sunil Joshi (A-2) was in the Kothari market, Indore area on 14-02-2007 which is relevant to the instant case because on the same day, the suitcase covers of IEDs were procured from the Kothari market, Indore.

16.32 The call details of telephones used by Pragya, Sunil Joshi, Sandeep Dange and Asimanand show the interconnectivity and links of suspects/co-accused Pragya, Sunil Joshi, Sandeep Dange and Asimanand during the month Feb / March 2007.

16.33 Investigation has further brought out that while Asimanand was absconding, he had impersonated himself as Omkaranand and had hidden himself in Paramhans Ashram at Village Atmalpur Bongla PS Bahadrapur Distt Haridwar. During the year 2010, Asimanand had developed close friendly relations with one Sh. Shakti Singh and one Sh.

Ajay Chauhan at Haridwar and one day, Asimanand had spoken to Shri Ajay Chauhan in presence of Shri Shakti Singh that he was involved in Samjhauta train blast case. Asimanand further informed that several agencies (including Police) were behind him. Shri Ajay Chauhan had even advised him to surrender before the court at Haridwar itself, which he did not do.

16.34 During investigation, Asimanand was taken to Thakurghar Valsad (residence of Bharat Bhai), where he disclosed and pointed out the place of conspiracy meeting of June 2006, in presence of two independent witnesses, Asimanand disclosed the place of secret meeting at Shabri Ashram and also showed the place where he had given Rs. 25000/- to Late Sunil Joshi for preparation and arranging the raw materials in March 2006 for making bombs. Asimanand also disclosed the place (Verandah) at Shiv Mandir Balpur where Sunil Joshi had informed him that **“News Dekhte rahiyega, Kuch acchi khabar do chaar din me milegi”**.

16.35 Investigation has brought out that Sunil Joshi was keeping a personal phone diary with him, (till the time of his murder in Dec. 2007). The phone diary disclosed some important contact details: Under the head, Emergency Number: telephone number of Asimanand has been mentioned indicating their closeness.

16.36. Investigation has further disclosed that Sunil Joshi (A-2) was keeping arms, explosives and IED in his house which were apparently used by Ramji, (A-3) after being removed from the house of Sunil Joshi after his murder on 29th Dec. 2007.

16.37 The investigation has further disclosed that the A-1 Asimanand due to deep remorse, desired to do *prayaschit*, confessed to a jail inmate Khaleem in presence of Warden at Hyderabad Jail, taking the responsibility of blasts including that of Samjhauta train blast and unraveled the design/ preparation part.

16.38. The investigation has revealed that accused Swami Asimanand during the period of the criminal conspiracy and after the commission of the terrorist act in the instant case, also knowingly sheltered/harboured accused Sunil Joshi, Sandeep Dange & Ramji.

16.39. Investigation has clearly disclosed that the terrorist blasts in Samjhauta express, Mecca Masjid, Ajmer Sharif were carried out by Sunil Joshi module in pursuance to a criminal conspiracy as mentioned above wherein accused Asimanand (A-1) played a crucial role. In furtherance of the criminal conspiracy as aforesaid accused Asimanand (A-1) and others provided financial assistance and support to accused Sunil Joshi (A-2) towards fulfillment of the criminal conspiracy, which financed accused Sunil Joshi and others for travelling to different places, including but not only to, Shabridham, Indore , various places in Jharkhand, West Bengal, Bihar, UP, MP, etc. and communicating meeting /aiding and deriving aid from different persons including accused Sandeep Dange and Ram ji etc. for the purpose of coordination , planning and preparatory efforts for taking the criminal conspiracy towards its objectives for taking different purposes/aspects of the criminal conspiracy as aforesaid so that the identities of one team of accused are not known to the others and for the reason that Sunil Joshi should remain as the fulcrum of the criminal conspiracy with each team of accused to be coordinated by and only through him.

Thus the investigation has disclosed accused Asimanand (A-1) , Sunil Joshi (A-2) ,Ramji (A-3), Sandeep Dange (A-4) and Lokesh Sharma (A5) during the period between 2005-07 not only conspired among themselves but also with others / actively abetted other accused in the commission of terrorist acts including in the instant case. Accused A-1 provided ideological inspiration which included a strong advocacy of revenge for bomb blasts committed by Jehadi terrorists with cross border support on Hindu temples and Hindus by committing terrorist acts by targeting Muslims.

16.40 The investigation has disclosed that the arrested accused persons, Lokesh Sharma @ Ajay Tiwari @ Ajay @ Kalu (**A-5**), Nabakumar Sarkar @ Swami Asimanand @ Swami Omkaranand @ Ramdas (**A-1**), and other accused persons, known and absconding, Sandeep Dange @ Paramanand @ Vasudev (**A-4**), Ram Chandra Kalsangra @ Ramji @ Vishnu Patel @ Omji (**A-3**), Sunil Joshi @ Guruji @ Manoj Joshi @ Manoj Singh @ Manoj (**A-2**) , and other suspected persons, from the period 2003 onwards, all of them, deeply angered by a spate of terrorist attacks committed by Jihadi terrorists with cross-border support on Hindu temples and Hindus in India, conspired amongst themselves and with each other during the period between 2005 and 2007 with the motive of avenging such Jihadi terrorist acts by committing terrorist acts on Muslim places of worship and other places densely populated by Muslims in India ,in Samjhauta Express, and in furtherance of such criminal conspiracy, contacted, communicated, transported, met, planned, prepared, and variously, motivated, assisted and facilitated each other and acted in several ways in concert amongst themselves towards furthering and fulfilling the object of the criminal conspiracy as aforesaid, including the bombing of Samjhauta Express, on that fateful night of 18th Feb, 2007 which resulted in the death of 68 persons and injuries and hurt, simple

and grievous, to 12 other persons, who were travelling in the said train and thereby have committed offences **punishable u/s 120B r/w 302, 307, 326, 324 ,124A, 438,440 of IPC and Sec.3,4 & 6 of Explosive Substances Act,1908, 150, 151, 152 of Railways Act, 3,4 of Prevention of damage of Public Property Act and Sec.13,15,16,17, 18,19 & 23 of UA(P) Act 1967 (Amendment Act 2004).**

16.41. Involvement of **Amit @Sunny, Pragya Singh Thakur, Indresh Kumar, Devender Gupta** and some other **individuals** in the conspiracy are highly suspected. Further investigation will be continued U/s 173(8) of Cr.P.C.

16.42 The sanction for prosecution U/s 196 CrPC, u/s 45(1) of Unlawful Activities (prevention) Act, 1967 and sanction for prosecution U/s 7 of Explosive Substance Act, 1908, , Government of India, New Delhi has been issued vide order No. 11034/16/2010-IS-VI dated 17th June 2011, Ministry of Home Affairs and is enclosed.

16.43 All these 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.

16.44 That it is respectfully adverted to the attention of this Hon'ble Court that the arrested accused **Naba Kumar Sarkar @ Swami Asimanand (A-1) and Lokesh Sharma (A-5)** are presently lodged in Central Jail, Ambala under the judicial remand of the Hon'ble Spl Judge NIA Cases Haryana, Panchkula and also facing trial in Cr.No.04/2011/ NIA-Dli for their involvement in the Ajmer Sharif Bomb Blast of 11th October, 2007 and in Cr.No.RC.02/2011/NIA-Dli Mecca Masjid blast of 18th May 2007, while the other accused

persons namely **Ramchandra Kalsangra (A-3)**, **Sandeep Dange (A-4)** are absconding.

Accused **Sunil Joshi (A-2)** is dead.

16.45. Therefore it is respectfully prayed that this Hon'ble Court may be pleased to take cognizance of this Charge sheet filed U/s Section 173 (2) of Cr.P.C. read with Section 43-D Clause 2 of the Unlawful Activities (Prevention) Act 1967, and issue due processes against the accused persons A-1 Naba Kumar Sarkar @ Swami Asimanand and A-5 Lokesh Sharma in accordance with law. Charges against late Sunil Joshi shall stand abetted.

17. Dispatched on : 20.06.2011

**Sd/-
CIO**