

# LEGAL BOND

ADVOCATES & LEGAL CONSULTANTS

Chamber No- A 007, Gr. Flr, Ramji House, Jambul Wadi, Mumbai – 400 002. Tel-22001 007

To,

Date – 7<sup>th</sup> December, 2015

Mr. Vikas Gupta,

Flat No. 1013, Rubraja Palm Springs,

Near Infinity 2 Mall,

Mahad (West), Mumbai – 44.

Mobile No. 9920009534.

**Sub:- Legal Notice for offences punishable under sections of Indian Penal Code**

- 1.) U/s 383 – Extortion,
- 2.) U/s 389 – Putting fear in person in order to commit extortion,
- 3.) U/s 403 – Dishonest misappropriation of Property,
- 4.) U/s 406 – Criminal Breach of Trust,
- 5.) U/s 418 – Cheating with knowledge,
- 6.) U/s 420 – Cheating and Dishonestly inducing delivery of property,
- 7.) U/s 424 – Dishonest or Fraudulent removal of property,
- 8.) U/s 440 – Mischief committed after preparation for causing hurt,
- 9.) U/s 444 – Lurking house – trespass by night,
- 10.) U/s 465 – Forgery / U/s 469 – Forgery for harming reputation,
- 11.) U/s 499 – Defamation / U/s 501 – Printing defamatory matter,
- 12.) U/s 503 – Criminal Intimidation, threatening to injure reputation,
- 13.) U/s 508 – Act caused by inducing person to believe the object,
- 14.) U/s 115 – Abetment to commit suicide.

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Sir,

Upon Instructions of my client Shri. Parth Samthaan @ Laghate, residing at:-

~~Sunrise Building, Flat No. 303, B' Wing, Aeromanager, Versova, Andheri (W), Mumbai - 400 061~~., I hereby issue this Legal Notice upon you for the offences committed by you and punishable U/s of I.P.C as mentioned herein above:-

1. My client states that, in the year 2013 you were working for 'Balaji Telefilms' for a Television Show called 'Gumrah' as a Creative Director and my client was part of the caste for one of the episodes and that is how you came in acquaintance with my client.
2. My client states that, you continued being in touch with my client and kept posting regarding your work experiences, job profile, achievements, success and key to success. Further you insisted upon meeting my client for coffee, dinner and discussions with regards to career growth and management of struggle frustrations over disappointments related to trauma of rejections in Auditions and the Favours granted only to referred candidates and recommendations. Least knowledge did my client have for such mentor behavior from your side since everything expressed and stated by you sound genuine and truth to a budding actor.
3. That, during discussions over coffee and dinner you impressed and made to believe my client that you are the right person for career guidance and that you will definitely build up the Star image of my client if the instructions are well followed up and executed accordingly. You invited my client at your place and captured many selfie photographs as good friends and buddies types since you both spent decent times together and that you were also aware that my client was in relationship with his long time girlfriend much prior to your entry in his life.
4. That, my client took your expressions, guidance and gratitude without any doubts until one fine day in December, 2013 to conveyed that you are a 'Gay' and that you dream about my client, to the utter shock and surprise that inspite of being aware of the fact that my client is 'Straight' and in relationship with longtime girlfriend you called upon my client at your residence and insisted upon touching and feeling my client in inappropriate manner.
5. That, my client exited your residence and thereafter refused to have any contact with you inspite of several persuasion and phone calls, thereafter you promoted as Channel Head of MTV' therefore you convinced my client to play lead in a show named "Kaisi Yeh Yaariaan" and therefore you had access to speak to my client on phone as well as on sets during the shoot.
6. That, you kept interfering during my client's shoot and always claimed your upper hand over my client when the show gained popularity due to hardwork and popularity of my client due to huge fan following and Social Media clubs, that your

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attitude turned arrogant and rude since it was difficult for you to digest success of my client and therefore in Jan, 2015 when you were Thrown Out from the MTv' Channel

for reasons best known to you, you foul mouthed regarding my client within the social media and television industry.

7. That, it was not acceptable and tolerated by you that MTv continued the show with my client in your absence and therefore out Jealousy, Frustration, Ego Hassles and your Destructive attitude you started threatening my client to leave the show mid way and blackmailed my client emotionally and sadistically to retain my client within your control and access only.

8. That, you had joined a new channel "& Tv" therefore to justify your position and lead the war of channels or maybe to save your New Job you decided to prove your stand by compelling my client to Quit the show on "MTv" and join your channel for a show, thus you went to the extreme level of mentally torturing and harassing my client by making several phone calls in a day and text messaging my client to leave the show on "MTv" and join you for a New Show at the cost of destroying the blossoming career and future of my client. That you started visiting the residence premises of my client at odd hours and pleaded to quit "MTv" since you wanted my client to do a show with you on your terms and conditions.

9. My client states that, you were stalking my client and barged into his private meetings and parties with his girlfriend / friends with your pleadings to leave "MTv" Channel and kept boasting that you are my client's mentor and godfather but my client does not acknowledge the gratitude and respect your request to quit the show. Thus on you constant persuasion and nagging my client out of respect and old relationship chose to quit the show upon your persuasion. That after you were sadistically satisfied regarding my client's major loss and damages you offered a show to be hosted by client and also promised to pay according to the current status and thus you succeeded in retaining the so called Mentor status over my client to express your major contribution in the career of my client.

10. That, inspite of your position and authority to make payments with regards to the fees payable to my client for the show you deliberately, knowingly, intentionally and malice retained the payments of approx Rs. 5,50,000/- and made false promises to issue the cheque even after completion of 18 episodes. Therefore when my client requested to make payments being your legal liability to do so, you gave false promises and excuses to avoid your discharge of legal liabilities towards my client.

11. That, since my client was fed up following up for payments and inspite of several requests you denied to make payments claiming to be part of your co-ordination charges and further threatened that you will not make the payments and my client can do whatever he can since you were the Channel head thus you knowingly cheated my client who had undergone tremendous loss and mental trauma due to your dishonest behavior.

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12. That, you visited my client's residence premises would insist upon calling over to your residence for academic purposes and you insisted upon taking pictures and videos of workshops wherein there was script suggestion on your part to be enacted by

my client and then you retained the said photos and workshop clips as records for audition and or as memories.

13. That, since you had lost recognition and appreciation from MTV' you out of revenge and frustration made my client sacrifice his career and undergo financial crisis and deliberately refused to pay Rs. 5,50,000/- overdue to my client till date.

14. That, since my client was under depression and crisis you preferred making it worst by not paying his dues and torturing him further by following my client everywhere and adding misery to the situation by giving fake version of my client betraying you and not responding to your illicit demands. Further you kept enquiring about my client by calling all his friends and co-actors to know the whereabouts and deliberately bump into his meetings and socials and create a ruckus in witness to all the friends and well wishers of my client.

15. That, you have threatened my client to destroy his life, career and identity and further you are currently demanding Rs. 50,00,000/- as ransom money by way of extortion and or compensation for you loosing job, status, position and compensation for making him a star/youth icon.

16. My client states that, you have threatened to destroy his career and therefore you approached the Producer and Director of one new Bollywood Film launching my client for 1<sup>st</sup> time on Silver screen and that you gave fake stories and version that my client used you and you had illicit relationship with my client and that my client is an opportunist, thus you are Defaming my client and his reput at the cost of Jealousy, Frustration and failure.

17. That, you have also threatened my client to close all his social media accounts and further posted a threat to destroy the career of my client forever and thereafter you will escape to U.S.A and live a anonymous life upon enjoying the sadistic act of destroying and ruining my client's career permanently as you claim to be a God the maker and Destroyer.

18. That, when my client tried stopping you from performing any such defamatory and malicious act, you stated that you are hell bent to destroy my client's career if my client does not cough out Rs. 50,00,000/- to you and or on 7<sup>th</sup> December, 2015 you will post morphed, fabricated and fake photographs and videos and declare to the entire world that my client is having illicit relationship with you, thus you are Jealous of the female fan following of my client and you wish to give a fake version from your side to Defame the reput at of my client.

19. My client states that, incase of non-fulfillment of your ransom amount of Rs. 50,00,000/- by way of demand under extortion from you, you have given three options to compensate you wherein,



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A. You will post fake and forged/morphed photographs and videos by 7<sup>th</sup> December, 2015 destroy image, fame, identity of my client and leave India to go to USA.

B. My client will have to leave all work by 7<sup>th</sup> December and go back to zero and start the struggle as it was 2 years before and to start from the scratch and not to deal with MTV Channel, since it was introduced by you.

C. Finally my client can also go back to you, surrender to you and renounce name and fame as part of sacrifice and compensation if my client is not willing to make payments of Rs. 50,00,000/- in cash.

Thus you have laid down sadist, immoral, illicit, cheap terms and conditions to compensate you and therefore non can be accepted under any circumstances.

20. My client also states that, you have also given an ultimate option to commit suicide if all such terms and not acceptable, hence you have been inhuman and insane to demand such terms and conditions thus abetted and cornered my client to the core to commit suicide and permanently destroy the life of my client.

21. In view of the above facts and circumstances, I hereby on behalf and on instructions upon my client call upon you for the following,

a. That, you are called upon to refrain yourself from carrying out any such acts of posting and or uploading any such forged, fake and morphed photographs, videos, articles that would damage, hamper and destroy the image, career and future of my client.

b. That you are also called upon to discontinue demand of Ransom money of Rs. 50,00,000/- being illicit demand and illegal in the eyes of law.

c. That you are called upon to make the payments overdue and as discharge of legal liabilities on your part of Rs. 5,50,000/- alongwith interest @18% p.a by cheque in favour of my client within 7 days of receipt of this Legal Notice.

d. That a copy of this Notice is C.C to Local Police Station in case of any misdeeds, malice acts on your part and that a request letter be sent to Senior Police Officers to intervene and initiate legal proceedings against you for offences punishable under relevant section of I.P.C as mentioned in title.

e. That you are called upon to discontinue visiting my client at odd hours and lurking in the residential vicinity of my client.

f. That under any circumstances my client commits suicide then it will be considered as abetment and on your behest, thus the Police and Law will initiate Legal

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Proceedings against you at relevant Court of Law which you may take a very serious note.

g. You are called upon to discontinue nagging and pursuing my client to give up his career and future film for your sake and sadistic pleasure.

22. My client stated that, you forced him to quit all the social sites including Instagram, Twitter just because it affected you to see posts and pictures, since all the fan following and prosperity happened only due to your efforts and thus my client must destroy all that as allegedly claimed because of you since you cannot see my client enjoying this life.

23. Thus my client out of fear and torture from your side chose to delete all the accounts and thus facing lots of depression, mental trauma tragic and disturbed life and thus upon your abetment to commit suicide by sending Jiah Khan's Suicide note, you have imposed fear and depression in life of my client and therefore incase of any attempt to suicide and or committal of suicide the sole blame of abetment lies upon you which you may take a very serious note.

Finally, in view of the above facts and circumstances I hereby call upon you to tender a letter of apology to my client within 7 days of receipt of this legal notice alongwith handing over all such material fake, forged and fabricated photos and videos belonging to my client and with an assurance of no copies available with you,

Further issue the payments by cheque of Rs. 5,50,000/- alongwith interest @ 18% p.a upto date,

That, incase of any delay or denial on your part to comply with requisites whatever stated herein above in the notice then my client has given me preemptory instructions to initiate Legal proceedings before appropriate forum and let law deal with you in punitive and compensatory manner.

**Kindly note that henceforth you are advised, warned and reminded to kindly refrain from any attempts, acts, communication on phone, text messages, WhatsApp, Facebook, Twitter, Instagram, Messenger, Viber, Hike and all such Social Media sites and chats, by you and or by any friend or anyone representing you in any manner.**

In case you deny following the above instructions and continuing the said acts then at the very first attempt my client will contact Police Authorities and initiate Legal Proceedings you at your risks as to the costs and consequences which you must definitely take a very serious note.

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Instructed and signed by me.

Yours Truly

**Part Samthaan @ Laghate**

C.C. to

Sr. Insp of Police,

Versova Police Station, Mumbai

**Mr. Sandip S. Batavia**

Advocate High Court