

Date: 18th November 2013

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

Subject: Complaint Application by Yogesh Thakkar aka Premgeet, Managing Trustee, Osho Friends Foundation, email: <sosyogesh@gmail.com>, residing at /at: 1, Anand Park, Behind Police Station, Lane No. 4, 368, Koregaon Park, Pune 411001, to register FIR for the offences punishable u/s 465, 467 r. w. 120B of The Indian Penal Code, 1860 against;

1. **Mr. Michael Byrne (O'Byrne) alias Swami Anand Jayesh Executor of the alleged Will**
President Osho International Foundation (OIF) Zurich, Switzerland
Email address: <mwbyrne@csi.com>
<michael@mwbyrne.com>
And <oshointernational@oshointernational.com>

Postal Address:
Osho Commune International
17, Koregaon Park,
Pune - 411 001.

Phone: (0)20 66199999
Also at;
Oberoi Towers / Trident
Nariman Point
Marine Drive, Mumbai 400021

Also at:
Osho International Foundation
Bahnhofstrasse 52
8001 Zurich
Switzerland.

2. **Mr. D'Arcy O'Byrne alias Swami Yogendra**
member trustee OIF , Zurich, Switzerland

Handwritten: 18/11/2013
16/20/13
ठाणे अमलदार
कारेगाव पार्क पो.स्ट.पुणे

Handwritten: 18/11/13
रिसे
पोलीस
पुणे ४११००१

18 NOV 2013

लिपिक
पोलीस आयुक्त पुणे वॉर्षे कार्यालय
पुणे ४११००१

Commanding in charge of Osho Ashram, Pune
Email: <darcy@darcyobyrne.com>
Postal Address:
Osho Commune International
17, Koregaon Park, Pune 411 001.

Landline #: (0)20 66019902
Mobile #: +919764672233

3. Mr. Philip Toelkes alias Prem Niren
Attorney to Osho and Witness on the Will
Email: <toelkes1@gmail.com>
Postal Address:
90, Baywood Village Road # 51
Sequim WA 98382
USA

Mobile: +13607758482
Phone + Fax: +18888525744
Fax: +18888525744

And also at:
Osho Commune International
17, Koregaon Park, Pune 411 001.

4. Dr. John Andrews, alias Swami Amrito
Previously known as Dr. George Meredith alias Devaraj
Osho's Physician and Witness on the Will
Also Vice President Osho International Foundation, Zurich,
Switzerland
Email address: <amrito@osho.net>

Postal address:
Osho Commune International
17, Koregaon Park
Pune 411 001
Lanline #: 020 66019804
020 66019801

Also at:
Flat 1, 13 Palmeira Ave
Hove, East Sussex
BN3, 3GA, UK

5. Mr. Mukesh Kantilal Sarda alias Swami Mukesh Bharti
member trustee OIF , Zurich, Switzerland and India

Email: <mukesh@osho.net>

Bungalow no. 50, Koregaon Park, Pune - 411 001

Also at

608, Maker Chambers V, 6th Floor

Nariman Point

Mumbai - 400 021

Mobile #: +919820101930

Landline #: 02066019804

6. Mr. Klaus Steeg alias Pramod

member trustee OIF , Zurich, Switzerland

Director of American Multimedia Corporation and

Osho International, New York, US

Email: <klaus.steeg@oshointernational.com>

Postal address:

410, Park Avenue, 15th floor

New York

NY 1022 US

Phone: +1.212-231-8437

Mobile: +1.917.755 0225

eFax: +1.212.658.9508 -

Skype: pd_nyc

Also at:

Osho Commune International

17, Koregaon Park, Pune 411 001.

Sir,

1. The complainant is a selfless devotee of 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. This Trust is an association of the disciples of Osho, who have worked for more than 45 years for Osho in the capacity as his secretaries, ex- trustees, care-takers, meditation camp leaders, therapists etc. and worked at the Osho Ashram and around Osho Meditation Centres.
2. The accused no. 1, 2, 4, 5 and 6 are all the members of Osho International Foundation, Zurich bearing registration no. CH-020.7.902.835-7 having its address at Bahnhofstrasse 52, 8001 Zurich, Switzerland. The said organisation was initially registered in the name, Rajneesh Foundation Europe in the year 1984 and thereafter it was changed to Neo Sannyas

International Foundation in the year 1987 and it was further changed to Osho International Foundation in the year 1990. A copy of the document which is akin to the 'Schedule I Register' in India and known as "Trade Registrar Of The Conton Of Zurich" is annexed herewith to show the registration, change of names and also names of all the accused as members thereof as **Annexure A1 & A2 respectively.**

3. The accused no. 1, Mr. Michael Byrne (O'Byrne) alias Swami Anand Jayesh is very secretive and known as "A man of mystery". The accused no. 1 was a former property developer. On March 2, 1987, an Alberta Court issued a default judgment against O'Byrne for non-payment of a series of Bank of Montreal demand loans totalling \$1,318,069.96. By the time the bank lawyers and private eyes had traced him to Oregon, O'Byrne could not be found. The accused no. 2 is the younger brother of accused no. 1, both citizens of Canada. Both accused joined the Rajneesh movement at Rajneeshpuram in Oregon, USA at about the same time around December, 1984 to the spring and summer of 1985. Both accused nos. 1 and 2 are members of Osho International Foundation, (accused no.1 with it's predecessors Rajneesh Foundation Europe and Neo-Sannyas International Foundation) Zurich, Switzerland. Accused no. 1 since 11.03.1986.
4. The accused no.1 is the President of Osho International foundation since 05.12.1990 till today. He is also the present President 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, however the Inner Circle is forced to be dissolved after the death of Osho over a period by the accused no. 1 and replaced by Osho International Presidium consisting of the trustees of Osho International Foundation, Zurich and headed by O'Byrne. Michael O'Byrne drew the attention of a prominent Hollywood member - Francoise Ruddy, a striking woman of about fifty who was one of the larger financial contributors of Rajneeshpuram and genuinely devoted to Rajneesh. Hasya, as she was called, had taken Sheela's place as Osho's assistant, thereby O'Byrne who was closer to Hasya than Sheela soon gained regular audience with Rajneesh and in September, 1985 when Rajneesh appointed a new group of leaders to supplant Sheela and her group, O'Byrne took the position of trustee with the Rajneesh Financial Services Trust. O'Byrne became the chief

lieutenant of Rajneesh when he returned to the ashram at Pune and was there to take over the reins when the master died- or left his body. O'Byrne was the "New Bhagwan" and totally controls the activities at the ashram at Pune and Osho International Foundation, Zurich, Switzerland.

5. The accused no. 3, Mr. Philip Toelkes alias Prem Niren a law graduate of 1971 from the University of San Francisco who worked a short time for a San Francisco law firm then joined prestigious Los Angeles firm in 1974 only to resign in 1980 and become a Rajneeshee. His legal skills soon put him foremost among Rajneeshee lawyers. He was licensed in Oregon on April, 22, 1982, and the following year, he helped set up Rajneesh Legal Services Corp. He also took over as mayor in Rajneeshpuram in Oregon USA.
6. The accused no. 4 Dr. John Andrews, alias Swami Amrito, an English trained physician who specialized originally in cardiology, neurology and internal medicine and had a public practise under the auspices on the National Insurance in England in South East London. He joined the Rajneesh ashram at Pune in 1977, followed Rajneesh to Rajneeshpuram where he was licensed to practise medicine in the State of Oregon. He 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 as detailed in Annexure D1 annexed herein which were specifically created to siphon off funds and assets of the turst/ foundation worldwide. From 1979 till Osho's death in January 1990 he was the personal physician of Osho. He claims to be the only person besides accused no. 1 Michael O'Byrne to be present when Osho died on 19 January 1990 and also claims that virtually Osho's last words were to Jayesh, "I leave you my dream". Thus from his own admissions it is clear that being the personal physician of Osho not only was he nearest to Osho but also to accused no. 1 O'Byrne.
7. The accused no. 5 Mr. Mukesh Kantilal Sarda alias Swami Mukesh Bharti has been with Osho from the early 70's in the Pune Ashram. Hails from a middle class family from Mumbai and used to work as a milk delivery boy in Mumbai and later in 1978 as a courier boy traveling between Mumbai and Pune doing odd jobs as per Ma Yoga Laxmi's instructions. Laxmi at that time was the personal secretary to Osho. In 1981-1982 he followed Osho to Rajneeshpuram, US and was working in community

kitchen. In 1987 he returned to Pune and worked in the accounts department taking care of cash managements and government related jobs. Being the blue eyed boy of accused no. 1 Michael O'Byrne he was made the managing trustee of Neo Sannyas Foundation formally known as Rajneesh Foundation, Pune, as well as Osho International Foundation in Mumbai and Zurich, Switzerland; and he is director of Osho Multimedia and Resorts Pvt.Ltd and Zen properties Pvt. Ltd. These companies are limited by shares registered under Companies Act in Mumbai, are special vehicles created mainly to siphon off funds and properties of the said public charitable trusts into their personal kitty. Mukesh Sarda has a permanent suite booked in Hotel Taj Mahal in Mumbai, travels all over the world and stays in five star hotels just like accused no.1 Michael O'Byrne. The life styles of both is out of unimaginable proportions, out of their known source of income.

8. The accused no. 6 Mr. Klaus Steeg alias Pramod, a German citizen now living in New York, USA and a frequent visitor to the Osho Ashram at Pune. He came to Osho in early 80's and was part of the commune in Dusseldorf, Germany which merged with the Koln Commune where he stayed till 1996 and then moved to Pune. He is a member of Osho International Foundation, Zurich since 17.12.1996 and takes care of the publishing of Osho's books and contracts with publishers and licencees working with Michael O'Byrne in the field of publication all over the world. He is involved in all the companies in US and UK responsible to siphon off funds and assets of the trust and foundations as detailed in annexure D1 annexed herein.
9. The complainant submits that all the Accused are involved in siphoning off properties and income of royalties worth millions of US \$ which belong to Neo Sannyas Foundation formally known as Rajneesh Foundation and Jeevan Jagriti Kendra. This trust is a public Charitable Trust registered under the provisions of Bombay Public Trust Act 1950. Annexed herewith is a copy of Indenture of Trust dated 11th June 1969 and Supplementary Agreement dated 16th September 1969 for ready reference as **Annexure B1 & B2**. The said trust Jeevan Jagriti Kendra was renamed as Rajneesh Foundation on 15.9.1975, which after Osho's demise was renamed as "Neo Sannyas

Foundation" in 1989. A copy of the schedule I showing change of name is annexed as **Annexure C**

10. It is obvious from the conduct, past antecedents and present living style of the accused named hereinabove that all the accused have conspired together under the leadership of accused no. 1 Michael Byrne to siphon off the assets both movable and immovable of the public charitable trusts created by Late Osho into personal assets by creating companies controlled by each individually or jointly amongst themselves and after having achieved their objective, the company or organisation created by them is dissolved or insolvency is filed. Thus, all accused are involved in looting and damaging income of a public charitable trust registered in India before the Charity Commissioner, Mumbai as well as of the revenue of the Indian government in terms of Foreign Exchange Inward Remittance and Taxes. A few examples of such activities of which documents have been collected by the complainant and his friends are annexed herewith for ready reference as **Annexure D1, D2, D3, D4, D5 & D6**
11. The complainant and his friends, all admirers and devotees of Osho have filled an Application u/s 41 E of the Bombay Public Trust Act, 1950 before the Hon'ble Charity Commissioner Mumbai bearing application no. 4 and 5 of 2012, are annexed herewith for ready reference as **Annexure E1 & E2** and also Two Writ Petitions before the Hon'ble High Court of Judicature of Bombay bearing no. 1346/ 2012 and 5300/ 2013 alleging frauds and misappropriation over Rs.300 Crores against all the accused except accuse no. 3 Mr. Philip Toelkes are annexed as **Annexure F1 and F2**. The petition no. 1346/2012 is admitted and interim relief has also been granted by Bombay High Court is annexed as **Annexure G1 & G2** for ready reference.
12. All the above accused who are the trustees of Osho International Foundation except accuse # 3 Philip Toelkes were parties as trustees of Osho International Foundation Zurich to a litigation in which all the accused except accuse # 3 Philip Toelkes also deposed as witnesses before Administrative Trademark Judges of the Trademark Trial and Appeal Board of the United State Patent and Trademark Office in the matter Osho Friends International Vs. Osho International Foundation wherein Osho International Foundation sought to register on the principal register the marks, "Osho Active Meditations, Osho Zen Tarot, Osho.... Etc." However vide judgment dated October 30, 2008 the Osho International Foundation lost the

appeal and in consequence their applications for registration were cancelled. Annexed herewith is a copy of the judgment for ready reference as **Annexure H1 & H2**.

13. The Osho International Foundation, Zurich through its member Trustees, all the accused except accused no. 3, have subsequently applied for Community Trademark registration before the "Office For Harmonization in the Internal Market" at Avenida de Europa, 4, 03080 Alicante, Spain, the Trademarks and Designs Registration Office of the European Union Trademark registration no. 1224831 and the same is being opposed by "Osho Lotus Commune e.V." in a proceeding pending under Application for Invalidation No. 5064C before the said office. Osho International Foundation, Zurich submitted a "Second Supplemental Witness Statement" of Mr. Philip Toelkes accused no. 3 hereinabove. Para 25 of that "Second Supplemental Witness Statement" is addressing a true copy of the "Last Will and Testament of Osho" allegedly executed on 15th October 1989 at Pune. Annexed herewith is a copy of the "Second Supplemental Witness Statement" and the alleged "Last Will and Testament of Osho" as **Annexure I-1 and I-2** respectively for ready reference.
14. On perusal of the contents of the alleged will it is obvious that the will is subsequently created, as an afterthought, produced for the first time after a period of 23 years of the death of Osho under suspicious circumstances. In any case the said alleged *Will* admittedly is not attested according to the strict provisions of law. More over there was reason to believe that the alleged signature of Osho was fake and the alleged *Will* a forgery. It is obvious that all the accused were adversely affected by the judgment of the Appellate Court of US and hence conspired together along with the accused no. 3 Philip Toelkes to create a document purporting to be a *Will* of Osho. In order to ascertain whether the alleged *Will* is genuine or a fake the copy of the same was sent for an independent opinion to one Ms. Nicole Ciccolo Graphological Technical Expert and Consultant of the Civil and Penal Law Court Of Bologna, Italy. After examining the said document the expert came to a conclusion that the alleged signature of Osho was a proven fake. Annexed herewith is the technical examination report dated 13.10.2013 as **Annexure J**.
15. In the meantime, the complainant sought the opinion of an expert Shri N R Parik, Examiner of Documents and Grapho Analyst from Aurangabad. After having carefully examined the questioned signature of Osho on the alleged will dated

15.10.1989 and comparing it with the admitted signature of Osho on a letter 06.02.1976, he came to the conclusion that the questioned signature of Osho on the alleged Will had been prepared by scanning and printing process by using the admitted signature as model. Annexed herewith is the opinion of Shri N R Parik dated 06.11.2013 as **Annexure K**

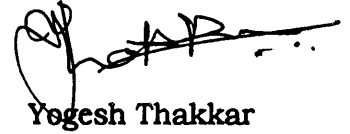
16. A copy of the alleged Will of Osho dated 15.10.1989 was sent for an independent opinion along with the admitted signature for verification and comparison to M/S J K Consultancy, a Hand Writing Expert and Document Examiner from New Delhi. The Complainant has received third report from the said M/S J K Consultancy a dated 9th November 2013. The Opinion received also confirms of the forgery in respect of signature of Osho on the alleged Will. Annexed herewith is the technical examination report dated 8.11. 2013 as **Annexure L**

17. In the meantime by way of abundant caution the complainant has filed a Civil Suit bearing no. 1683/2013 pending before the Civil court Junior Division Pune seeking Declaration of the alleged Will as null and Void. Annexed herewith is the copy of suit along with the said suit along with application as **Annexure M**

18. All the accused have conspired together and dishonestly and fraudulently created this false document purporting to be the Will of Osho dated 15.10.1989 with intent to support a false claim or title to the properties of Osho as it is obvious that the accused are the beneficiaries of the gains yield from the properties of Osho through their private companies established in US, UK and India as trusts are under continuous deficit and loss due to siphoning off funds to these private companies by the trustees, and in furtherance of their criminal conspiracy produced through accused no.3 a true copy of the same in the proceedings pending before the "Office For Harmonization in the Internal Market" in European Union. The Accused no. 3 is admitting to be attorney for Osho as well as he has admitted to be an official representative of Osho International Foundation, Zurich Switzerland. And thus conspiring in the making of forged Will. And therefore all the accused are guilty of having committed the offences punishable under section 465, 467 r.w. 120 B of the Indian Penal Code.

19. The said forged will of Osho is alleged to have been executed and attested at Pune on 15.10.1989 however it was produced for the first time only in June 2013 in proceedings before the European Union when the complainant got

knowledge of the existence of such forged will. Thus there is prima facie evidence to show that all the afore said offences have been committed by the accused at Pune within the territorial Jurisdiction of the Koregaon Park Police Station and hence, the police of the said police station have the powers to investigate in to the offences punishable under sections 465, 467 r.w.120B of the Indian Penal Code against the accused above named who as per the contents of the alleged will have purported to have signed as attesting witnesses and as executor thereof.



Yogesh Thakkar

Managing Trustee

Osho Friends Foundation

C.C. to:

- 1- The Commissioner of Police,
Sadhu Vaswani Road, Camp
Pune 411001
- 2- Ministry of Home Affairs,
North Block,
Central Secretariat,
New Delhi - 110 001
- 3- Home Ministry, Maharashtra
Mantralaya
Mumbai 400001

Encl:

Copies of all the 'Annexure A' to 'Annexure M' referred to hereinabove.