To:

Shri Anubhav Anusha

CEO and Director, Genestore India

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Dated: 21 February 2021

Subject: Press inquiry – seeking your comments on FIR registered by Delhi Police Economic Offences Wing against Genestore India, Anubhav Anusha and ors

Dear Shri Anubhav Anusha

I am an independent journalist based in Bengaluru. I seek your attention to the note attached below that details allegations made against you in an FIR filed by the Delhi Police and a case at the Delhi High Courts. As per journalistic norms and guidelines of the Press Council of India giving you the right to respond, I seek your comments on the allegations and your response for inclusion in an article I am writing on the subject for the news website [www.newsclick.in](http://www.newsclick.in/). Please send your responses no later than the 24 of February.

Yours sincerely,

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Note follows:

A First Information Report (FIR) registered by the Delhi Police on 12 February and a case at the Delhi High Court allege that GeneStore India supplied unreliable and low-quality Covid-19 testing kits to diagnostic labs across the country. The complaints also accuse Anubhav Anusha, GeneStore India’s Chief Executive Officer and other executives of offering bribes to diagnostic laboratories and of not paying financial dues.

**FIR:**

The FIR filed by the Delhi Police’s Economic Offences Wing alleges that multiple labs have complained about the quality of GeneStore’s testing kit and the reliability of its results. GeneStore India’s executives “ignored” and sought to “pay off” employees and owners of diagnostic labs that brought these reports to them, the FIR alleges.

The FIR against Genestore India, its directors Anubhav Anusha and Manavi Anusha, Goodwill Diagnostic, its director Avneet Singh and other unknown persons has been filed under sections 420 (cheating), 406 (Criminal Breach of Trust) and 120B (Criminal Conspiracy) of the Indian Penal Code.

**Case at Delhi High Court**

A petition filed before the Delhi High Court by the complainants Sahil Khanijau and Vineet Chauhan has been taken into arbitration, according to the latest [order](http://delhihighcourt.nic.in/dhcqrydisp_o.asp?pn=14459&yr=2021) in the case available on the Delhi High Court’s website.

In a petition filed by the complainants before the Delhi High Court, an order by Justice Rekha Palli dated 17 December 2020 notes that the complainants Khanijau and Chauhan entered into an agreement with GeneStore India giving them the right of first refusal on any leads/projects/deals pertaining to the Covid-19 testing kit. According to the agreement all kits were required to be sold by GeneStore through the complainants’ leads.

The court order notes that while the agreement included a clause that specifically barred GeneStore India from circumventing or attempting to circumvent the provisions of the agreement and conduct sales through other channels, GeneStore had been selling its products through a newly incorporated company and a defunct company.

The court order notes that the complainants allege that they have been cheated of revenue to the tune of Rs 2.5 crore.

Issuing notice to GeneStore, its CEO and its directors, the Delhi High Court ordered that they not create any third-party rights in their assets to the tune of the amount alleged by the complainants to be due to them. In a subsequent order dated 25 January, the High Court appointed an arbitrator under the Delhi International Arbitration Centre, to arbitrate the dispute over dues and violation of contract between the complainants and GeneStore.

**Evidence**

The complaint filed to the Delhi Police includes evidence of complaints relating to the quality of GeneStore’s testing kits by at least seven different diagnostics laboratories.

In one case, an email from a diagnostics lab asks that GeneStore “take back” 10,000 testing kits “due to quality concern.” In emails from two separate diagnostics labs, it is claimed that samples tested positive on other companies’ test kits were testing negative on GeneStore’s kit.

In screenshots of a WhatsApp text exchange, one of the complainants – Sahil Khanijau – discusses a complaint he received from a hospital with GeneStore India’s CEO Anubhav Anusha.

The complaint from the hospital is regarding an issue with GeneStore’s diagnostics kit data from the result of a sample, reports Khanijau to Anusha. He asks if GeneStore can send a technical support person to the hospital to assist to solve the problem.

Anusha’s response is: “...pay the guy off. It’s matter of money. The guys a mid level guy.” (sic)

The Delhi Police’s FIR records that the complainants have alleged that by supplying low-quality Covid-19 testing kits, GeneStore India endangered public health at the time of the global Covid-19 pandemic.

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