

RECEIVED**By Tim Gorman at 3:49 pm, Feb 25, 2022**

NK&RO 2016R00372

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

: Hon. Madeline Cox Arleo

:

: Criminal No. 22-151

:

SANDEEP BENERA,
a/k/a "Vishal Rawal,"
a/k/a "Vihaan Seth,"
a/k/a "Sagar Sharma"

: 18 U.S.C. § 1349 18 U.S.C. §

: 371

:

:

I N D I C T M E N T

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

Count One
(Conspiracy to Commit Mail Fraud)

Background

1. Between in or around June 2013 and in or around June 2019, defendant SANDEEP BENERA, a/k/a "Vishal Rawal," a/k/a "Vihaan Seth," a/k/a "Sagar Sharma" ("BENERA"), and his co-conspirators engaged in a widespread scheme to defraud cellular telephone providers and insurance companies by fraudulently obtaining cellular telephones and equipment from those companies using stolen or fake identities (the "Fraudulently Obtained Devices"), and then selling the equipment to third parties outside of the United States. The scheme involved a web of mailing and virtual office locations the co-conspirators used to receive and transport the Fraudulently Obtained Devices, and to avoid detection. The scheme resulted in millions of dollars in losses to the victim providers and insurance companies.

NK&RO 2016R00372

2. At all times relevant to this Indictment:

a. BENGERA resided in Jersey City, New Jersey. BENGERA rented storage units in various locations in New Jersey to receive the Fraudulently Obtained Devices and then facilitated the delivery of those devices to locations in the United States and abroad.

b. Dhananjay Pretap Singh (“Singh”), a co-conspirator not charged in this Indictment, resided in Delhi, India. Among other things, Singh obtained stolen identities of third parties and facilitated the shipment of the Fraudulently Obtained Devices to various locations in the United States and abroad. Singh also recruited other co-conspirators and determined the resale prices for the Fraudulently Obtained Devices.

c. Parag Bhavsar (“Bhavsar”), a co-conspirator not charged in this Indictment, resided Newark, Delaware. Bhavsar rented storage units in various locations in Delaware to receive the Fraudulently Obtained Devices and then facilitated the delivery of those devices to locations in the United States and abroad.

d. Victim Wireless Provider-1 was a cellular telephone service provider located in Fort Worth, Texas.

e. Victim Wireless Provider-2 was a cellular telephone service provider located in Louisville, Kentucky.

f. Victim Wireless Provider-3 was a cellular telephone service provider located in Kentucky and elsewhere.

NK&RO 2016R00372

g. Victim Wireless Provider-4 was a cellular telephone service provider located in Pennsylvania and elsewhere. Wireless Providers-1 through 4 are collectively referred to as the "Victim Wireless Providers."

h. Victim Insurance Company-1 marketed, administered and serviced insurance and related protection programs for cellular telephone service providers, including the Victim Wireless Providers, and was located in Smyrna, Tennessee; Fort Worth, Texas; and Louisville, Kentucky.

i. Victim Insurance Company-2 marketed, administered and serviced insurance and related protection programs for cellular telephone service providers, including the Victim Wireless Providers, and was located in York, Pennsylvania, and Lewisville, Texas. Victim Insurance Companies 1 and 2 are collectively referred to as the "Victim Insurance Companies".

j. Generally, the Victim Insurance Companies' protection programs were sold to customers (the "Insurance Holders") through the Victim Wireless Providers who, in turn, sold and serviced insured cellular telephones.

k. In the event an Insurance Holder's cellular telephone was lost, stolen, or damaged, the Insurance Holder could submit a claim for a replacement device. After the insurance claim was processed in accordance with the Insurance Holder's policy, either the Victim Wireless Providers or the Victim Insurance Companies would ship a replacement device to the Insurance Holder. Because an Insurance Holder could be traveling at the time when an insurance claim was made, the Victim Wireless Providers and the Victim Insurance

NK&RO 2016R00372

Companies could allow a replacement device to be shipped to an alternate address; that is, an address that was different than the address listed on the Insurance Holder's account.

1. In addition to insurance coverage, the Victim Wireless Providers also provided warranties to cover replacement of cellular telephones under certain circumstances. For example, Victim Wireless Provider-1's customers received a one-year warranty when they purchased equipment from Victim Business-1. The warranty covered operational problems with a device, but not damage to a device. Pursuant to Victim Wireless Provider-1's Warranty Exchange Program, Victim Wireless Provider-1 would send the customer new or refurbished equipment and, in exchange, the customer was required to send back the customer's old device or the customer would be charged for the cost of the equipment.

THE CONSPIRACY

3. From in or around June 2013 through in or around June 2019, in the District of New Jersey and elsewhere, the defendant,

**SANDEEP BENERA,
a/k/a "Vishal Rawal,"
a/k/a "Vihaan Seth,"
a/k/a "Sagar Sharma,"**

did knowingly and intentionally conspire and agree with others to devise a scheme and artifice to defraud the Victim Wireless Providers and the Victim Insurance Companies and to obtain money and property from those entities by

NK&RO 2016R00372

means of materially false and fraudulent pretenses, representations, and promises, and for the purpose of executing and attempting to execute such scheme and artifice to defraud, did cause to be delivered matters and things by mail or by any private or commercial interstate carrier any matter or thing according to the direction thereon, contrary to Title 18, United States Code, Section 1341.

GOAL OF THE CONSPIRACY

4. The goal of the conspiracy was for BENGERA, Singh, Bhavsar, and their co-conspirators (collectively, the “Conspirators”) to enrich themselves by re-selling cellular phones they obtained by making fraudulent claims to the Victim Wireless Providers and the Victim Insurance Companies using stolen or fraudulently obtained personally identifying information (“PII”) of third parties.

MANNER AND MEANS OF THE CONSPIRACY

5. It was part of the conspiracy that:

a. The Conspirators unlawfully obtained PII and/or account information of Insurance Holders and/or customers of the Victim Wireless Providers (collectively, the “Compromised Accounts”).

b. In addition to the Compromised Accounts, the Conspirators used stolen PII to open new cellular telephone and related insurance accounts (the “Fraudulent Accounts”).

c. The Conspirators used the Compromised Accounts and the Fraudulent Accounts to file fraudulent insurance and warranty claims for

NK&RO 2016R00372

replacement cellular telephones.

d. After the Conspirators submitted the fraudulent insurance and warranty claims, the Conspirators directed that the replacement devices be shipped to addresses associated with commercial mail receiving agencies (“CMRAs”), or virtual office locations, that the Conspirators maintained and controlled (collectively, the “CMRA Locations”).

e. BENGERA and the Conspirators operated a network of mailboxes at CMRAs across the country, including New Jersey. The Conspirators generally opened CMRA Locations remotely; that is, via email, and often used unlawfully obtained PII of others or fake identities.

f. Once the replacement cellular telephones arrived at the CMRA Locations, the Conspirators further directed—typically by email or by phone—that the packages be forwarded to other addresses associated with self-storage facilities that BENGERA and the Conspirators controlled, including facilities located in New Jersey.

g. BENGERA and the Conspirators attempted to conceal their scheme by:

i. Unlawfully obtaining the Compromised Accounts and/or Fraudulent Accounts to place insurance and warranty claims for replacement cellular devices;

ii. Diverting the replacement devices intended for the Insured Holders to addresses under their control;

NK&RO 2016R00372

iii. Evading law enforcement, managing the use of addresses where replacement devices were sent so as not to over-utilize the same address, and instead obtaining and diverting replacement devices to new addresses under their control;

iv. Forwarding the replacement devices to addresses associated most often with self-storage facilities under their control, enabling the Conspirators to retrieve the replacement devices at secure locations before delivering them to other Conspirators as directed by Singh; and

v. Shipping the replacement and fraudulently obtained phones abroad to sell them for a profit.

All in violation of Title 18, United States Code, Section 1349.

NK&RO 2016R00372

Count Two

(Conspiracy to Commit Interstate Transfer of Stolen Property)

6. The allegations contained in Paragraphs 1, 2, 4 and 5 of this Indictment are realleged here.

7. From in or around June 2013 through in or around June 2019, in the District of New Jersey and elsewhere, the defendant,

**SANDEEP BENERA,
a/k/a "Vishal Rawal,"
a/k/a "Vihaan Seth,"
a/k/a "Sagar Sharma,"**

did knowingly and intentionally conspire and agree with others to unlawfully transport, transmit, and transfer in interstate and foreign commerce, namely from multiple states, including but not limited to Texas, Kentucky, and Tennessee, to New Jersey and elsewhere, stolen goods, wares and merchandise, that is, cellular telephones, of the value of \$5,000 or more, knowing the same to have been stolen, converted, and taken by fraud, contrary to Title 18, United States Code, Section 2314.

Overt Acts

8. In furtherance of the conspiracy and to accomplish its objects, defendant SANDEEP BENERA and his co-conspirators committed and caused the commission of one or more of the following acts in the District of New Jersey and elsewhere:

a. From on or about February 28, 2017 through on or about March 27, 2017, BENERA leased storage unit number 1655 from a storage

NK&RO 2016R00372

facility in North Bergen, New Jersey under the alias “Vishal Rawal,” doing business as “Shree Tech Infotech.” In furtherance of the scheme, the Conspirators caused several cellular phone orders to be forwarded to this storage unit.

b. On or about January 8, 2018, two CMRAs forwarded fraudulently obtained cellphones to a storage facility in Saddle Brook, New Jersey. This unit was rented by BENERA and another one of the Conspirators through an entity they controlled call “Lime Light Traders.” In violation of Title 18, United States Code, Section 371.

NK&RO 2016R00372

FORFEITURE ALLEGATION

1. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1349 and Title 18, United States Code, Section 371 alleged in Counts One and Two of this Indictment, the defendant,

**SANDEEP BENERA,
a/k/a “Vishal Rawal,”
a/k/a “Vihaan Seth,”
a/k/a “Sagar Sharma,”**

shall forfeit to the United States, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the violations of Title 18, United States Code, Section 1349, and Title 18, United States Code, Section 371, and all property traceable to such property.

NK&RO 2016R00372

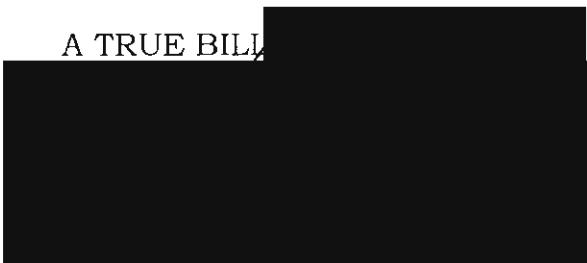
SUBSTITUTE ASSETS PROVISION

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL,



PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 22-151 (MCA)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**SANDEEP BENERA,
a/k/a "Vishal Rawal,"
a/k/a "Vihaan Seth,"
a/k/a "Sagar Sharma"**

INDICTMENT FOR

18 U.S.C. § 1349

18 U.S.C. § 371

Foreperson

**PHILIP R. SELLINGER
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY**

**NAAZNEEN KHAN
ASSISTANT U.S. ATTORNEY
973-353-6016**

**RYAN O'NEILL
ASSISTANT U.S. ATTORNEY
973-645-2833**