20-CR-006764A
CF
Complaint Filed
1561780

Dept No. 712
07/09/2020

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

FILED
ALAMEDA COUNTY
MAY 07 2020
CLERK OF THE SUPERIOR COURT
By: [illegible]

PEOPLE OF THE STATE OF CALIFORNIA	NO.	
v.	COMPLAINT	
APNA BAZAAR LLC D/B/A APNA BAZAR Also Known As APNA BAZAR	PFN:DTB273	CEN:0494742
RAJVINDER PAL SINGH	PFN:DTB267	CEN:0494743
Defendant(s)		

The undersigned, being sworn says, on information and belief, that APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **yellow onions**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

SECOND COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **ginger**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

THIRD COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **green beans**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

FOURTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 13, 2020 through March 17, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **Ching's Secret Singapore Curry Instant Noodles**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

FIFTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 17, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **Tea India CTC Assant Loose Black Tea (2 lbs.)**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

SIXTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 13, 2020 through March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **Maggi 2 Minute Noodles (560 gm.)**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

SEVENTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **small Thai chili hot peppers**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

EIGHTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **pomegranates (anar)**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

NINTH COUNT

The undersigned further deposes and says on information and belief, that said APNA BAZAR, RAJVINDER PAL SINGH did, in the County of Alameda, on or about **March 16, 2020**, commit a MISDEMEANOR, to wit: PRICE GOUGING OF FOOD DURING EMERGENCY, a violation of section 396(b) of the PENAL CODE of California, in that said defendant(s) did, upon the proclamation of a state of emergency declared by the Governor of the State of California, unlawfully sell and offer to sell consumer food items and goods, to wit: **red yams**, for a price of more than 10 percent greater than the price charged by the said defendant for those goods or services immediately prior to the proclamation or declaration of emergency.

Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Subscribed and sworn to before the undersigned,
Thursday, May 7, 2020

This document was filed electronically in compliance with Penal Code section 959.1

DA 20F0181

DANIEL OSBORN
Deputy Attorney General
State Bar #311037
Office of the California Attorney General

JAMES MEEHAN
Senior Deputy District Attorney I
State Bar #124636
Alameda County, California

County of Alameda

Request for Out of Custody Complaint
Declaration of Probable Cause

Arrestee/Suspect	DOB	Sex	PFN
APNA BAZAR		X	DTB273

Race	CDL	Agency Report #
UNCLASSIFIED		20F0181

Arresting Agency	Declarant	Agency Phone	Agency Fax
ALAMEDA COUNTY DISTRICT ATTORNEY	Serge Babka	(510) 777-2450	

Arrest Date	Arrest Time	Arrest Location

Holds	Arrestee Home Address
	4040 PIMLICO DR , #150 PLEASANTON CA

Charges/Violations

PC 396(B) M(9 Counts)

On March 18, 2020, while searching social media for posts regarding price gouging in the Alameda County, I found a post from March 17, 2020 alleging Apna Bazaar LLC, d/b/a Apna Bazar, in Pleasanton, CA was engaged in price gouging. I began looking into the matter, and shortly thereafter our office received the first of numerous price gouging allegations against Apna Bazar. One complainant wrote the store was charging "whatever they want." The social media post and pictures we received from complainants showed that the prices on the shelves were scribbled over or crossed out with a marker, with no new price listed on the shelves. We learned the State of California Department of Justice (DOJ) was also receiving consumer complaints against Apna Bazar. Thereafter, the two offices collaborated in a joint investigation.

The investigation found numerous incidents of alleged price gouging from witnesses who gave statements. From receipts we collected from witnesses, we were able to show that prices did increase, in some cases over a couple of days, which bolsters credence to the witness statements not directly supported by receipts. The investigation also found ads and pictures posted on a Apna Bazar social media account that showed past historical prices for items, which also supported witness statements. We found at least nine specific items that we believe show Apna Bazar engaged in flagrant price gouging in March of 2020 after California Governor Gavin Newsom's proclamation of a state of emergency on March 4, 2020.

These nine items consist of produce and dry goods (onions, ginger, green beans, chili peppers, pomegranates, yams, tea, and two different brands of noodles) that saw increases after the March 4, 2020 proclamation by the Governor ranging from 25% to over 300%, some in matter of days. One item that was priced at $2.99 on March 2, 2020, just two days before the the Governor's proclamation, saw a price increase of 67% by March 13, 2020 to $4.99. By March 16, 2020 the price was raised again to $6.99, selling at 134% of the original price. Another item priced on March 2, 2020 at $0.49/lb was raised to $1.99/lb by March 16, 2020, a 306% increase from the price just days before the proclamation.

On March 19, 2020 I delivered a letter to the owner, Rajvinder Pal SINGH, requesting justification for the price increases. When I spoke with him, he stated he had been forced to turn to other suppliers to keep his shelves stocked and they were charging more, and he was simply passing on the costs. Having not heard back from him at all, on April 17, 2020, I delivered another letter to the store manager requesting justification for the price increases. As of May 7, 2020, I have not received any documentation to support the price increases.

It is my belief that the above findings support the accusations of the numerous witnesses that Apna Bazar engaged in price gouging after California Governor Gavin Newsom's March 4, 2020 proclamation of a state of emergency. I found Apna Bazar raised prices from 25%-306% on at least nine items, well above the statute limit of 10%. These increases support witness statements that in mid-March, Apna Bazar raised all their prices. Witnesses reported prices being removed or crossed out on the shelves and employees telling them the prices are what they are when scanned at check out. I did not receive any requested documentation justifying these increases from the owner or management. We recommend Apna Bazar and its owner be charged with violations of PC 396(b)-Price Gouging.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 05/07/2020 07:42:34 Declarant: Serge Babka Badge: 342

Reviewed and approved.

Date: 05/07/2020 08:16:13 Supervisor: Serge Babka Badge: 342

Document #: PCD606253

County of Alameda

Request for Out of Custody Complaint
Declaration of Probable Cause

Arrestee/Suspect	DOB	Sex	PFN
RAJVINDER SINGH	12/21/1969	M	DTB267

Race	CDL	Agency Report #
ASIAN INDIAN	Y7667393 CA	20F0181

Arresting Agency	Declarant	Agency Phone	Agency Fax
ALAMEDA COUNTY DISTRICT ATTORNEY	Serge Babka	(510) 774-2450	

Arrest Date	Arrest Time	Arrest Location

Holds	Arrestee Home Address
	CA

Charges/Violations

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I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 05/07/2020 07:41:46 Declarant: Serge Babka Badge: 342

Reviewed and approved.

Date: 05/07/2020 08:15:17 Supervisor: Serge Babka Badge: 342

Document #: PCD604277

Office of the District Attorney
Alameda County

Nancy E. O'Malley,
District Attorney
Kevin Dunleavy,
Chief Assistant District Attorney
alcoda.org

May 7, 2020

CEN: 0494742

APNA BAZAAR LLC d/b/a APNA BAZAR
4040 PIMLICO DRIVE # 150
PLEASANTON CA 94588

A criminal complaint and summons has been filed against you in the Alameda County Superior Court.

You are required to appear on **07/09/2020** at **9:00AM** in Department **712, at the DUBLIN COURT HOUSE 5149 GLEASON DRIVE, SUITE C220 DUBLIN CA 94568**.

Failure to appear will result in a warrant being issued for your arrest.

NANCY E. O'MALLEY
District Attorney

BY:_____
JAMES MEEHAN
Senior Deputy District Attorney I

DECLARATION OF SERVICE BY MAIL (C.C.P. 1013A(3), 2015.5)

On the date shown below, I served the foregoing document by depositing a true copy thereof, enclosed in a separate, sealed envelope, with the postage thereon fully prepaid, in the United States mailbox at **7677 OAKPORT STREET, SUITE 650 OAKLAND CA 94621**.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/07/2020 at OAKLAND, California

By:

Office of the District Attorney
Alameda County

Nancy E. O'Malley,
District Attorney
Kevin Dunleavy,
Chief Assistant District Attorney
alcoda.org

May 7, 2020

CEN: 0494743

RAJVINDER PAL SINGH
7137 AUBREY WAY
DUBLIN CA 94568

A criminal complaint and summons has been filed against you in the Alameda County Superior Court.

You are required to appear on **07/09/2020** at **9:00AM** in Department **712, at the DUBLIN COURT HOUSE 5149 GLEASON DRIVE, SUITE C220 DUBLIN CA 94568**.

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District Attorney

BY:_____
JAMES MEEHAN
Senior Deputy District Attorney I

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By: