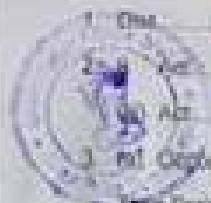


FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

3221



SPC

P.S. Bhaktinagar Year 2022 File No. 748/22 Date 12/7/2022

Sections 447/506/34

i) Act

Sections

Sections

(iv) Other Acts & Sections

240 Maintenance

3. (i) Occurrence of Offence - Day

Date From 30/3/2022

Date To

2022

Time Period

Time From

Time To

(b) Information received at P.S. Date

12/7/2022

Time

14:15 hrs.

(c) General Diary Reference - Entry No(s)

605

Time

14:15 hrs.

4. Type of Information

Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S.

Beat No.

(b) Address At R.S. Plot No-573, LR Plot No-50 recorded Khafan No-716/2, LR Khafan No-528 under Maize Delgam, Sheet No-8 corresponding to LR Sheet No-45, JL No-2, P.S. Bhaktinagar, Dist No-40.

(c) In case outside limit of this Police Station, then the

Name of the P.S.

District

6. Complainant / Informant

(a) Name

Sri Jagadish Prasad Shah

(b) Father's / Husband's Name

A. Gulab Chand Prasad Shah

(c) Date / Year of Birth

(d) Nationality

Indian

(e) Passport No.

Date of Issue

Place of Issue

(f) Occupation

(g) Address Mahabir Basti, Banarhat Tea Garden, P.O. Banarhat, Dist. Jaldighi.

7. Details of known / suspected / unknown accused with full particulars

① Sub. Naha Shah w/o. Sashi

(Attach separate sheet, if necessary)

Kumar Shah, ② Ram Kumar Shah, ③ Sat.

Lila Shah and ④ Kishan Shah

8. Reasons for delay in reporting by the Complainant / Informant

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)

10. Total value of properties stolen / involved

11. Inquest Report / U.D. Case No., if any

12. FIR Contents (Attach separate sheets, if required)

The original written Complaint of the Complainant which is treated as FIR is reproduced overleaf.

12/7/22

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2, registered the case and took up the investigation / directed S.I. D.N. Baisali

investigation / refused investigation / transferred to P.S.

A Bhaktinagar P.S. SPC.

to take up

jurisdiction. If read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Signature of the Complainant / Informant
 S.I. D.N. Baisali
 12/7/22

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Name

Amarash Singh

Rank : No

V.C. Bhaktinagar P.S. SPC

15. Date & Time of despatch to the court

TO:

1. The District Magistrate & Collector
Jalpaiguri, Dist-Jalpaiguri, Pin-735101
2. The Superintendent of Police
Jalpaiguri, Dist-Jalpaiguri
Pin-735101
3. The Commissioner of Police,
Siliguri Police Commissionerate,
having office at Ward NO 47,
Ujanu P, Siliguri, District- Darjeeling,
Pin - 734010
4. Sub Divisional Officer, Jalpaiguri
Post Office and Police Station - Kotwali,
Pin-735101
5. Inspector-in-Charge
Bhaktinagar Police Station
having office at Ward No-42, Don Bosco Colony,
Siliguri, District- Jalpaiguri, Pin-734004

FROM

1. Jagadish Prasad Shah
Son of Late Gulab Chand Prasad Shah
Residing at Mahabir Basti, Banarhat Tea Garden,
P.O. & P.S. Banarhat, Dist- Jalpaiguri, Pin-735202
2. Sushila Devi
Wife of Sri Jagadish Prasad Shah
Residing at Mahabir Basti, Banarhat Tea Garden,
P.O. & P.S. Banarhat, Dist- Jalpaiguri, Pin-735202

Received on 12-07-2022 at 14:15 hrs.
Nidhi Bhaktinagar, PS GDC NO-605
Date 12-7-2022 & Charan Bhaktinagar
PS Case No-748/22 date 12/7/2022
u/s 144/506/31, I.P.C. r/o Sec 24 & 144
Maintenance and Welfare of Parents and
Senior Citizen Act, 2012.

INSPECTOR IN CHARGE
Bhaktinagar PS
12/7/22
[Signature]

Jagadish Prasad Shah
12/7/22

complainants submit that their son and daughter in law above named shifted to such rented premises on or about 2014.

5. However, despite shifting out of the residence of the complainants, the disputes and differences in between them were not solved and they had been continuing to have differences in their matrimonial life. The complainants submit that since it was a dispute between their son and daughter-in-law, they had preferred not to interfere in such disputes and the entire issue was left for reconciliation and resolved upon them since they were residing separately.
6. In such circumstances, for the reasons unknown to the complainants, on or about 30th March, 2022 most surprisingly their daughter in law i.e. Neha Shah alongwith her parents i.e. Ram Kumar Shah, Lila Shah and her brother Kishan Shah all of a sudden without giving any opportunity to the complainants to have a discussion, forcefully entered into the dwelling house and land of the complainants as described in detail herein above. Subsequent to 30th March, 2022, their daughter-in-law alongwith her parents and brother have been continuously residing upon the said property and they have expressed their intention to grab and capture the said property without any lawful justification.
7. The complainants submit that as on date their daughter-in-law i.e. Neha Shah alongwith her parents as named above and her brother are residing in the said property without any legal rights in respect thereof. The complainants submit that any matrimonial dispute with their son is a completely separate issue and such dispute cannot be a justification for them to grab and capture the immovable properties including the land and dwelling house of the complainants which they had purchased and constructed out of their own funds. It shall be important to mention herein that till date the complainants have not created any right upon such properties in favour of their son and accordingly their daughter-in-law cannot have any legal right in respect of the said property.

Sub:- Prayer seeking protection of property.

Madam / Sir,

The abovenamed complainants most respectfully beg to prefer this representation / prayer as follows:-

1. The complainant no 1 i.e. Jagadish Prasad Shah is the recorded owner having absolute right, title and interest in respect of land admeasuring more or less 0.05 acres and the constructed building situated thereupon at R.S. Plot No.579, L.R. Plot No.50 recorded in R.S. Khatian No.716/2, L.R. Khatian No.528 under Mouza - Dabgram, Sheet No.08 corresponding to L.R. Sheet No.45, J.L. No.2 within the police station of Bhaktinagar, Ward No.40 of Siliguri Municipal Corporation. The said property is butted and bounded by the North - 37 feet wide S.M.C. Road, South - land of M.S. John, East - Pradyut Kumar Das and West - land of M.S. John.
2. The complainants submit that they are senior citizens suffering from various ailments and health issues. They had been residing within the said property since several decades having purchased the said land and having constructed a dwelling house thereupon out of their own hard earned income.
3. The complainants submit that their son Sri Sashi Kumar Shah used to reside alongwith them in the said property and while residing with the complainants, Sashi Kumar Shah solemnized a Hindu Marriage with Neha Shah, daughter of Ram Kumar Shah having permanent address at Jaigaon, Bhagath Singh Nagar, opposite B.D. School, Pin-736182. Such marriage was solemnized on or about 30th November, 2013.
4. The complainants submit that immediately after the marriage, certain disputes and differences arose in between their son and their daughter-in-law as named hereinabove and since such disputes and differences could not be resolved, their son alongwith their daughter -in-law decided to reside separately in a rented premises situated at Iskcon Road, Siliguri, Dist-Darjeeling, Pin-734001. The

8. The complainants submit that in terms of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, preservation and protection of properties belonging to senior citizens is a statutory obligation cast upon the public authorities. Accordingly, no illegal and / or unlawful interference in the properties of the senior citizens should be tolerated by the public authorities. Despite several verbal representations in this regard to the Inspector-in-charge, Bhaktinagar Police Station, no protection have been granted for preserving and protecting the property of the complainants till date. On the contrary, it appears that the said authority has been instigating and indulging the abovenamed daughter-in-law and her relatives so that they can forcibly enter, grab and continue to possess the said property most illegally thereby interfering with the valuable rights of the complainants.
9. In such circumstances, finding no other alternative, the complainants abovenamed have been constrained to prefer this prayer / representation so that their land and property can be preserved and protected from the unlawful interference and aggression by their daughter-in-law and her relatives. The complainants further submit that since they are senior citizens having several ailments, compelling them to approach a Court of law for initiating a litigation may not be a suitable alternative remedy. Accordingly, it is prayed that your goodself shall take immediate and forthwith measures so that their daughter-in-law and her parents and brother can be escorted out from the said property without any further delay.

Thanking you,

Yours faithfully

1. Jagadish Prasad Shah
2. Sushila Devi
Both residing at at Mahabir
Basti, Banarhat Tea Garden,
P.O. & P.S. Banarhat, Dist-
Jalpaiguri, Pin-735202
Mobile No.9932769946