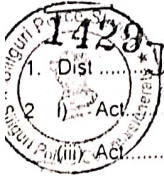


FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



1. Dist. Darjeeling P.S. Siliguri Year 2023 FIR No. 179/23 Date 10/3/2023

2. i) Act 7 Sections 406/417/420/ ii) Act X Sections 120-B IPC

3. (a) Occurrence of Offence : Day — Date From 09-10-2021 Date To 17-2-2023

Time Period — Time From — Time To —

(b) Information received at P.S. Date 10/3/2023 Time 15:20 Pm.

(c) General Diary Reference : Entry No(s) 544 Time 15:20 Pm.

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 2 KM (approx) North East Beat No. —

(b) Address Hanuman Machineries Pvt. Ltd. Bidhan Market Road, Pandit Mansion, Ground Floor, P.O. & P.S. - Siliguri, Dist. - Darjeeling.

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

Name of the P.S. — District —

6. Complainant / Informant :

(a) Name Mohit Agarwal

(b) Father's / Husband's Name Sri Sushil Kumar Agarwal

(c) Date / Year of Birth — (d) Nationality Indian

(e) Passport No. — Date of Issue — Place of Issue —

(f) Occupation —

(g) Address Director of Hanuman Machineries Pvt. Ltd. Bidhan Market Road, Pandit Mansion Ground Floor, P.O. & P.S. - Siliguri, Dist. - Darjeeling.

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

(Attach separate sheet, if necessary) : 1. Mr. Sanjay Kumar Garg, Chief Executive Officer and 2. Mr. Sanjib Sukul, Executive Director, Nova Hightech Pvt. Ltd. Neelamber Building, 28 B, Shakespeare Sarani, 3rd Floor, Kolkata-700017.

8. Reasons for delay in reporting by the Complainant / Information —

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : 100 numbers of "Mitsubishi Engine Powered Tea Pruning Machine", 01 "Single Man Tea Harvester", 01 "Two Men Tea Harvester" and other parts etc.

10. Total value of properties stolen / involved Rs. 7,00,000/- (Rupees Seven Lakh) only.

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

12. FIR Contents (Attach separate sheets, if required) : The original written complaint of the complainant which has been treated as FIR is enclosed herewith.

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 ASI Biswajit Saha to take up investigation / refused investigation / transferred to P.S. — on point of jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Noted in Original Complaint

4. Signature / Thumb impression of the Complainant / Informant

On 11.3.2023 at 10:30 Pm.

5. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station DEBABRATA SEN GUPTA

Name : DEBABRATA SEN GUPTA

Rank : No. SI OF POLICE

To
The Inspector-in-Charge,
Panitanki Out Post
Sevoke Road under
Siliguri Police Station,
Siliguri.

10/03/2023
Dated : 10/03/2023



Sub : F.I.R against MR. SANJAY KUMAR GARG, Chief Executive Officer (C.E.O)
and 2. MR. SANJIB SUKUL, Executive Director, Nova Hightech Pvt., Ltd.,
both are C/O Neelamber Building, 28 B, Shakespeare Sarani, 3rd Floor,
Kolkata- 700 017.

Sir,

I, Mohit Agarwal, son of Sri Sushil Kumar Agarwal, and Director of HANUMAN MACHINERIES PVT., LTD. having its business place of Bidhan Market Road, "Pandit Mansion", Ground Floor, Post Office and Police Station Siliguri, District- Darjeeling, I write to you as follows:

Sir, the nature of my business is carrying on supply of Tea machine and other various machinery parts to different Tea Garden and others and Nova Hightech Pvt., Ltd., Neelamber Building, 28 B, Shakespeare Sarani, 3rd Floor, Kolkata- 700 017 is one of the sellers of the above machines.

On 08.10.2021 I, placed my order to Nova Hightech Pvt., Ltd., to purchase 100 numbers of "Mitsubishi Engine Powered Tea Pruning Machine", 01 "Single Man Tea Harvester", 01 "Two Men Tea Harvester" and other parts etc, to supply those machines to me so that I can deliver the said machines to my customers and the above named Mr. Sanjay Kumar Garg, Chief Executive Officer and Mr. Sanjib Sukul, Executive Director, Nova Hightech Pvt., Ltd., duly accepted the said order to supply the above machines and its parts etc.

That on 09.10.2021 the above Company send Pro-forma Invoice to me for Mitsubishi Powered Tea Pruning Machine etc., and as per their instructions and demand I transferred a sum of Rs. 7,00,000/- (Rupees Seven Lakh) only on the same day to the said Company as advance and also requested them to supply all the machines by the month of November 2021.

I received the above machines in the month of January 2022 and sold some machines from the above machines to the purchasers, but after elapsed of some months, all of the machines refunded/returned back by the purchasers because all those machines are found duplicate.

I duly informed the matter and requested Mr. Sanjay Kumar Garg and Mr. Sanjib Sukul above named to change those duplicate machines and supply the original and genuine machines so that I can replace those duplicate machines to my customers as well as to maintain my good will of business, but they did not pay any heed. It is to be needful to mention here that I ordered the above company to supply the Original and genuine machines and paid the price of the Original and genuine machines.

Contd...P/2

Sir, initially, the above named Mr. Sanjay Kumar Garg and Mr. Sanjib Sukul assured me to replace those duplicate machines but did not take appropriate steps to do so therefore, on 24.12.2023 and 09.02.2023, I compelled to issue notices to them demanding the replace of those duplicate machines or to refund the sum paid by me for the above machines. Receiving my above notices the above named Mr. Sanjay Kumar Garg and Mr. Sanjib Sukul replied on 06.02.2023 and 17.02.2023 and refused to replace those duplicate machines or to refund the amount paid by me to them.

Sir, the above named MR. SANJAY KUMAR GARG and MR. SANJIB SUKUL cheated me by sending me the duplicate machines and thereby breach my trust and they also practice the illegal Trade practice.

Sir, due to their above activities, I and my customers also suffered irreparable loss and injury.

Sir, I therefore pray before you to investigate the matter and take necessary legal action against the above named miscreants for the ends of justice.

Hope your kind co-operation and needful immediate action against the above named persons for the ends of justice and thereby oblige.

Thanking You

Yours faithfully,

(Mohit Agarwal)

C/O HANUMAN MACHINERIES
PVT., LTD. having its business
place of Bidhan Market Road,
"Pandit Mansion", Ground Floor,
Post Office and Police Station
Siliguri, District- Darjeeling

Mbl: 94752 20150

10/3/23.
Officer In-charge
PANITANKI TOP-1
P.S. Siliguri
Dist. Darjeeling

Received on 10/3/23 at 15:20 hrs.
vide Panitanki TOP G.D.No. 191
Dt: 10/03/23 now forwarded to
I/C Siliguri for start a case
under proper section of law
and endorse to ASI Biswajit
Saha.

10.3.2023
Inspector in Charge
Siliguri Police Station
Siliguri Police Commissionerate