

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1355

1. Dist. SPE P.S. Matigara Year 2023 FIR No. 203/23 Date 22.03.23
2. (i) Act IPC Sections 408/420 (ii) Act x Sections x
(iii) Act x Sections x (iv) Other Acts & Sections x
3. [a] Occurrence of Offence : Day 02.02.23 Date From 02.02.23 Date To 1.0 date
Time Period Time From Time To
- [b] Information received at P.S. Date 22.03.23 Time 19:05 hrs
- [c] General Diary Reference : Entry No. (s) 1418 Time 19:02 hrs
4. Type of Information : Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.
[b] Address Indian Institute of Legal Studies, Siliguri, P.O. Salbari,
P.S. Matigara, Dist. Darjeeling
[c] In case outside limit of this Police Station, then the
Name of the P.S. x District x
6. Complainant / Informant :
[a] Name Shoutam Ojha
[B] Father's / Husband's Name Aditya Ojha
[c] Date / Year of Birth Indian [d] Nationality Indian
[e] Passport No. Date of Issue Place of Issue
[f] Occupation Accounts Manager, IILS, Salbari, P.S. Matigara
[g] Address Block A Ground Floor, Asadhana Apartment, Aravinda Mohan
Bach Road beside YMA Hall,
Sukhbandhupara, Siliguri, Darjeeling.
7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary):
Sanjay Bhattacharya, S/o. Lt. Anil Bhattacharya, of Sarkar Road,
Bidhampaty, Shivmandir, P.O. Kadamatale, P.S. Matigara, Dist. Darjeeling.
8. Reasons for delay in reporting by the Complainant / Information
9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)
10. Total value of properties stolen / involved Rs 30,57,570/-
11. Inquest Report / U.D. Case No. If any
12. FIR Contents (Attach separate sheets, if required) The original written complaint
which is treated as FIR is enclosed herewith / reproduced overleaf.
13. Action taken : Since the above report reveals commission of offence(s) as mentioned at Item No. 2, the registered the case and took up the investigation / directed SI Pijush Kumar take up investigation / refuse investigation / transferred to P.S. San Sarkar 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.
14. Signature / Thumb impression of the Complainant / Informant Noted in original complaint
- Date & Time of despatch to the court
- Signature of the Officer-in-Charge, Police Station SI Pijush Kumar
- Name SIPUL TALUKDAR
Rank SI of POLICE No. 04745/SPC

ASHWINI CHOUDHURY EDUCATIONAL TRUST

(A Trust body registered under The Indian Trusts Act, 1882)

To

Dated: 22.03.2023

The Inspector-in-Charge,

Matigara Police Station,

Matigara,

District: Darjeeling, Pin: 734010.

Subject: Complaint against Sri Sanjay Bhattacharjee, son of Late Amal Bhattacharjee, residents of Sarkar Road, Bidhan Pally, Shivmandir, P.O. Kadamtala, District - Darjeeling - 734011 for having cheated, misappropriated, causing criminal breach of trust, defamation and other committed offences under IPC against Ashwini Choudhury Educational Trust, a registered charitable trust having head office at the campus of Indian Institute of Legal Studies, Siliguri, P.O. Salbari, P.S. Matigara, District: Darjeeling, Pin: 734002.

Sir,

I, Sri Goutam Ojha, Son of Sri Aditya Ojha, residing at Block A Ground Floor, Aradhana Apartment, Ananda Mohan Basu Road, Beside YMA Club, Desbandhupara, Siliguri, Darjeeling, West Bengal, Pin: 734004, working for gain as Accounts Manager at Indian Institute of Legal Studies, Siliguri, having being appointed at its meeting dated 18.03.2023 as the authorized signatory of Ashwini Choudhury Educational Trust to lodge this FIR, are as follows:

1. That Ashwini Choudhury Educational Trust is a registered charitable trust performing social functions of imparting education through its four constituent Colleges viz.-

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HEAD OFFICE

Sarat Bose Road

Hakimpura, Siliguri - 01, Darjeeling, West Bengal

Goutam Ojha

REGISTERED OFFICE

Indian Institute of Legal Studies

Siliguri, P.O.-Salbari, Darjeeling, West Bengal - 734002, India

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- a. Indian Institute of Legal Studies, Siliguri.
 - b. Indian Institute of Legal Studies Cooch Behar, at Cooch Behar.
 - c. Alipurduar B.Ed. Training College, Alipurduar.
 - d. Falakata B.Ed. College, Falakata, District: Alipurduar.
2. That the accused person Sri Sanjay Bhattacharjee had been initially appointed as Assistant Professor at Indian Institute of Legal Studies, Siliguri in the year 2011. By afflux of time Sri Sanjay Bhattacharjee seemed to be a reliable and trustworthy person who was later on entrusted with the responsibility of looking after the management and administration of the aforesaid Colleges as Registrar. Further, financial responsibility was given to Sri Sanjay Bhattacharjee as "BURSAR".
3. That many students preferred to deposit the College fees in cash to the aforesaid Colleges in addition to other modes of fees payment such as bank transfers and cheques.
4. That as soon as the fees were deposited by students in cash, it was the instructions and standard procedure of the Colleges that the cashier of the Colleges would deposit the cash collections to Sri Sanjay Bhattacharjee for its safe custody. Thereafter, the said cash would be deposited in the bank account of the Colleges, bank account of the trust or cash payments were made to the creditors by the finance section of the said Colleges at the instructions of the superior authority of the Trust/Colleges.

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5. That in the manner aforesaid, lastly on 08.02.2023, a sum of Rupees Ten lakhs only (Rs. 10,00,000/-) in cash was handed over to Sri Sanjay Bhattacharjee for safe custody on valid written receipt received by Sri Sanjay Bhattacharjee and Rupees Five Lakhs Only (Rs. 5,00,000/-) was deposited to the bank account of Alipurduar B.Ed Training College by the Head Clerk/Cashier of Alipurduar B.Ed Training College.
6. That another sum of Rupees Sixteen Lakhs Thirty Thousand Five Hundred and Seventy only (Rs. 16,30,570/-) in cash was also handed over to Sri Bhattacharjee by the Teacher-in-Charge of Falakata B.Ed. College at the College premises at Falakata on 11.02.2023 for safe custody on valid written receipt by Sri Sanjay Bhattacharjee.
7. That between 01.10.2022 to 22.11.2022, Sri Indrajit Das, Head Clerk/Cashier of Alipurduar B.Ed. Training College handed over Rupees Forty Thousand only (Rs. 40,000/-) in cash to Sri Sanjay Bhattacharjee and vide bank transfer, a of sum of Rupees Three Lakhs Eighty Thousand only (Rs. 3,80,000/-) was transferred to the bank account of Sri Sanjay Bhattacharjee maintained with HDFC Bank, Shivmandir Branch, being Account No. 50100240536021 upon instruction by Sri Sanjay Bhattacharjee, all of which were cash amount deposited to College from the passed out students during the mark sheet distribution being outstanding fees.

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8. That in total a sum of Rupees Thirty Lakhs Fifty Seven Thousand Five Hundred and Seventy only (Rs. 30,57,570/-) being cash collection of students lying in the possession and custody of Sri Sanjay Bhattacharjee.
9. That on 10.03.2023, Sri Sanjay Bhattacharjee was supposed to join his duty at 9:30 A.M. in the campus of Indian Institute of Legal Studies, Siliguri and deposit the said collected amount to me for further process. However, Sri Sanjay Bhattacharjee did not come at 9:30 AM and at about 9:56 AM I made a call to Sri Sanjay Bhattacharjee inquiring about his whereabouts, to which Sri Sanjay Bhattacharjee told me that he was to visit a doctor as he was not well and was feeling sick. Sri Sanjay Bhattacharjee further said that after visiting the doctor he would come to the College.
10. That hours passed by neither did he come to the College and all his cell numbers being no.7431040189, 7407076256 and 6296903461 were in switched off mode. I could not contact him in any manner whatsoever. On 11.03.2023 at 12 noon our peon Sudhyadhan Barman was sent to the residence of Sri Sanjay Bhattacharjee at Shiv Mandir.
11. That the said peon called me over my mobile phone and handed over the call to the wife of Sri Sanjay Bhattacharjee who was present at his residence and his wife told me that her husband Sri Sanjay Bhattacharjee

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- did not return to his home and there was no sign of anxiety shown by his wife. She told that had talked to her husband several times and he had told her that he was busy in a meeting at the College, and lastly at 7:30 PM on 10.03.2023 through his cell phone. Thereafter the said peon returned to the College.
12. That the wife of Sri Sanjay Bhattacharjee at around 2:00 PM - 2:30 PM made a phone call to Sri Joyjit Choudhury, Managing Trustee of Ashwini Choudhury Educational Trust and the president of the Governing Body of Colleges, and on hearing about this incident, Mr. Choudhury was shocked and shattered and asked her as to why she haven't reported about the incident to Police Authorities to find out his whereabouts. But she could not give a convincing explanation. However, without any further exchange of words, Mr. Choudhury asked her to rush to the Matigara Police Station and lodge a complaint and further Mr. Choudhury instructed the College official to accompany her while lodging the complaint and at about 4 PM - 5 PM, his wife Smt Malibika Dhar Bhattacharjee lodged a missing diary which was registered as Matigara PS GDE No. 581 dated 11.03.2023 and during such lodging of missing complaint, his wife showed disinterest and reluctant attitude.
 13. That till date, Sri Sanjay Bhattacharjee has not contacted anyone from any of our Colleges and his whereabouts remain untraceable. His mobile phones are till now in switched off mode.

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14. Having discussed and deliberated on the issue between the various authorities, now we are convinced that Sri Sanjay Bhattacharjee with malafide motive and intention to cheat and defraud the trust and its Colleges has misappropriated the sum of Rupees Thirty Lakhs Fifty Seven Thousand Five Hundred and Seventy only (Rs. 30,57,570/-) for his personal gain, affluence and unjust enrichment.
15. That mobile of Sri Sanjay Bhattacharjee being no. 6296903461 was active on 13.03.2023 between 12:35 PM to 12:45 PM and the mobile tower location was shown during that relevant time at Haridevpur, Kolkata and immediately we have informed to his wife about the location but even then she did not express any intention to visit her husband to find his whereabouts.
16. That the mobile number of the Smt Malibika Dhar Bhattacharjee, wife of Sri Sanjay Bhattacharjee is 7872934722 and that of his daughter is 6297948006. The link to their facebook account is as follows:
- a. <https://www.facebook.com/sanjay.bhattacharjee.312?mibextid=ZbWKWL>
 - b. <https://www.facebook.com/malibika.dharbhattacharjee?mibextid=ZbWKWL>
 - c. <https://www.facebook.com/tamali.bhattacharjee.104?mibextid=ZbWKWL>

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17. That one personal laptop belonging to Sri Sanjay Bhattacharjee was lying with one Dhiman Das, who happens to be the clerk of Indian Institute of Legal Studies Coochbehar, Cooch Behar, which was later on recovered and the said laptop is under our custody. The same needs to be examined for the purpose of tracing the wrongs committed by Sri Sanjay Bhattacharjee.
18. That the Trust had imposed unflinching trust, belief and faith on Sri Sanjay Bhattacharjee, the Registrar of the Colleges along with financial responsibilities but Sri Sanjay Bhattacharjee belied such trust and faith expected of him. The delay in making the complaint arises out of the fact that the Trust waited for a few days for Sanjay Bhattacharjee to come back or resume contact with us. Thereafter, on being convinced that he is not to return, I at the instructions of my superior authority started checking our accounts since the day Sanjay Bhattacharjee was given financial charges which stretches to a long time and yesterday we arrived at the final conclusion that Sanjay Bhattacharjee defalcated the aforementioned huge sum of money.
19. In such circumstances, the Trust and College authorities have unanimously resolved to lodge a written complaint against Sri Sanjay Bhattacharjee for having defalcated Rupees Thirty Lakhs Fifty Seven Thousand Five Hundred and Seventy only (Rs. 30,57,570/-) which was in the custody of Sanjay Bhattacharjee and I as the authorized signatory of

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Ashwini Choudhury Educational Trust to lodge this complaint as well acquainted with the facts and circumstances of this case, do lodge this written complaint against the illegal acts of Sri Bhattacharjee so that he shall be traced, prosecuted in lawful manner the amount of money be recovered from him so that the Trust Colleges do not suffer any financial loss.

Thanking You.

Yours Sincerely,

Goutam Ojha

Sri Goutam Ojha,

Accounts Manager,

Indian Institute of Legal Studies, Siliguri.

Mobile No. 62969 03459.

Received on 22.03.23
vide GAE No - 1418 D. 22.03.23
recorded MTA PS Case No - 22.03.2023, U/S - 408/420 IP
to SI. Pijush Kanti Sen Sar
investigation.

[Signature]

22/03/2023

Officer-in-Charge

Matigara Police Station

Siliguri Police Commissioner

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