

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

409

1. Dist. SPC P.S. Matigana Year 2023 FIR No. 458/2023 Date 12/06/2023

2. (i) Act. TFC Sections 489/188/323/ (ii) Act. Sections  
(iii) Act. Sections 506/34 (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Date From 09/06/2023 Date To 10/06/2023  
Time Period Time From 17:00 hrs. Time To  
(b) Information received at P.S. Date 12/06/2023 Time 22:35 hrs.  
(c) General Diary Reference : Entry No(s) 751 Time 22:35 hrs.

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.  
(b) Address Guria jote, PO-Nemai, PS-Matigana, Dist-Darjeeling.  
(c) In case outside limit of this Police Station, then the N/A  
Name of the P.S. District

6. Complainant / Informant  
(a) Name Narayan Saibo  
(b) Father's / Husband's Name 1. Ghatiyar Saibo  
(c) Date / Year of Birth (d) Nationality Indian  
(e) Passport No. Date of Issue Place of Issue  
(f) Occupation  
(g) Address Guria jote, PO-Nemai, PS-Matigana, Dist-Darjeeling.

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) :  
① Kabilal Shaibya, ② Anali Shaibya ③ Firoz Shaibya  
& 9-10 others.

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 which is treated as FIR is reproduced overleaf.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2, Police Station Matigana registered the case and took up the investigation / directed ASI Karak Das to take up investigation / refused investigation / transferred to P.S. Siliguri Police Commissionerate 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 Noted in original Complaint. Signature of the Officer in Charge, Police Station Matigana Police Station  
Siliguri Police Commissionerate  
Name : BIPUL TALUKDAR

15. Date & Time of despatch to the court : On 13/06/23 at 11:00 hrs. Rank : No SI of POLICE, MTG. PS, SPC.



Received on 12/06/2023 at 22:35 hrs vide MTB PS  
GDE NI- 751, Dt-12/06/2023 & started MTB PS  
Case NI- 458/2023 Dt-12/06/2023 U/S- 424/188/  
323/506/94 IPC & endorsed to ASI Ranak  
DAS for its investigation.

12/06/23.

To,  
The Officer -In-Charge,  
Matigara Police Station,  
Dist - Darjeeling.

Date - 12/06/2023 Officer-in-Charge  
Matigara Police Station  
Siliguri Police Commissioner

Sub: Complaint

Respected Sir,

I, Narayan Saiba, S/o.- Lt. Ghatiyar Saiba, residing at Guria Jote, P.O. Nimai, P.S. - Matigara, Dist - Darjeeling, PIN code - 734010, and I would like to lodge this Written Complaint against 1.) Kabilal Shaibya, son of Lt. Tepu Shaibya, 2.) Arati Shaibya, w/o Kabilal Shaibya, 3.) Firoz Shaibya, s/o Kabilal Shaibya, all are the residents of Guria Jote, P.S. - Matigara, Dist. - Darjeeling, and their men and agents.

That I have filed a Civil Suit before The Ld. Civil Judge Junior Division at Siliguri being **Title Suit No. 175/2021**, CIS No. 142/2021 against the above-mentioned persons on 19/08/2021. That on 19/08/2021 on the very first date of Injunction hearing Ld. Court was pleased to allow Injunction by restraining the above-mentioned persons and the Ld. Court ordered "That The Interim Prayer Be And The Same Is Allowed Ex Parte Against The Defendants To The Effects Of Restriction In Disturbing The Plaintiff (Naraya Saiba) Till 23/09/2021 To Possess The Suit Property". That thereafter the above-mentioned order of the Ld. Court is continuously extended till 29/08/2023 and Interim Injunction order has been extended against the above-mentioned persons.

The Schedule of the land i.e., Suit Property is :-

All that piece or parcel of vacant land measuring about 11.75 Decimal within L.R Khatian No. 369, in L.R Plot no - 411 (a land measuring about 8.77 Decimal as per ROR) and in L.R Plot no - 412 (a plot of land measuring about

Narayan Saiba



3 Decimal as per ROR ), J.L no – 56, Mouza – GURIA, under Gram Panchyat, P.O and P.S- Matigara, Dist. Darjeeling, pin code – 734010.

That since last few days Kabilal Shaibya, Arati Shaibya, Firoj Shaibya continuously disturbing my peaceful possession in an over mentioned property by the way of threatening me and my family with dire-consequences and continuously throwing slangs towards me and whenever me or my family member go somewhere from backside Kabilal Shaibya through slangs to me, my wife, my sister-in-law.

On 09/06/2023, when I was in my above-mentioned property for repairing of my house/tin shaded room in the above-mentioned property suddenly at about 5PM, Kabilal, Arati, Firoj along-with their 9-10 men and agents came to my household property and forcefully entered into the property. When they forcefully entered in the property and threatened me with dire-consequences, I told them to leave the place and to obey the Injunction order of the Ld. Court and then suddenly Firoj Shaibya pushed me and I felt down on the ground. Thereafter Kabilal threatened me I should immediately leave the land and they also gave me another choice to sale it to their nominated person, they also i.e., Kabilal Shaibya and Firoj Shaibya said if I don't comply with their condition regarding leaving the said property as well as possession of the said property I might have to loose my life.

That on 10/06/2023 at about 10AM Kabilal, Arati, Firoj and their antisocial men and agents again came to the above-mentioned property and forcefully trespassed to the land by violating Injunction order of the Ld. Court and tried to grab one part of the land but due to my resistance and also by the local peoples of the area we resisted them from grabbing our land, and when they fled away and when they were leaving the spot at that point of time they threatened me by saying that they are the influential person of the local having financial, muscle power and having political connections and at

Narayan

cost they will grab the property and will teach me and my family very bad lesson and they also stated that they will not obey any Injunction order of the Ld. Court Civil Judge Junior Division at Siliguri in connection with the case being **Title Suit No. 175/2021**, CIS No. 142/2021 they have no respect towards law of the land. They Kabilal, Arati, Firoj and their anti-social team also said that they don't have any respect towards the order of the Ld. Court or any other Police Authorities. That due to fear and continuous pressure from Kabilal Shaibya and his all associates I was not able to come before the Police Authorities on the same day.

Under the above facts and circumstances, I would like to pray that Kabilal, Arati, Firoj and their men and agents should be restrained from entering into the above-mentioned scheduled property and they should be prevented from any act resulting injury to me, my family or any local people of that area. That they should be stopped from breaking, non-complying with the restraining order of the Ld. Court, it is also prayed that to take appropriate legal action against them and book those persons, under the law of the land and protect me and my family, my property from their evil thirst.

Thanking you

Enclosures

1. Order dated-19/08/2021 passed by  
Ld. Civil Judge Junior Division at Siliguri
2. Order dated-03/05/2023 passed by  
Ld. Civil Judge Junior Division at Siliguri

Yours Faithfully

*Narayan Saiba*

Sri. Narayan Saiba

(MOB-9933878598)