

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1. District Darjeeling P.S. Siliguri Year 2023 FIR No. 737/23 Date 06.9.2023

Sections — (ii) Act. NDPS Act Sections 21(c)

Sections — (iv) Others Act & Sections —

(A) Occurrence of Offence : Day Wednesday Date From — Date To 06.9.2023

Time Period — Time From 18:35 hrs. Time To 22:35 Pm.

(b) Information received at P.S. Date 06.9.2023 Time 23:15 Pm.

(c) General Diary Reference : Entry No(s) 407 Time 23:15 Pm.

4. Type of Information Written Written / Oral —

5. Place of Occurrence : (a) Direction and Distance from P.S. 01 KM. approx Boat No. —

(b) Address Near Morden boy club, Chandan Park, P.S. - Siliguri

Sist. - Darjeeling

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

Name of the P.S. — District —

6. Complainant / Informant :

(a) Name SI Ashim Kumar Das

(b) Father's / Husband's Name —

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

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

(f) Occupation Govt. Service

(g) Address Khalpara TOP-II, P.S. - Siliguri, Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars 1) Sujit Gupta (50 years), S/o -
 (Attach separate sheet, if necessary) : Stri Hari Shankar Prasad Gupta of Milan Pally,
RBS Club, Ward No. 25, P.S. - Siliguri, Sist. - Darjeeling and 2) Ashish
Saha (48 years), S/o - Hara Chand Saha of Vivekananda Nagar near
Babu Sing Sporting Club, Ward No. 42, P.S. - Bhaktinagar, Sist. - Jalpaiguri.

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

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

- (i) 16 (sixteen) Cartoon box of Ruksof Cough Syrup (Chlorpheniramine Meclate & Choline Phosphate Syrup) having Batch No- TBHV0593, Mfg. Date 05/2022, Exp. dated 04/2024 made by Glen Smith (containing 100 bottles of the cartoon each bottle 100 ML i.e. 16X100=1600X100 ML = 160000 ML (total 160 Ltr.) and marked as "Exhibit A", Exhibit "B", Exhibit "C", Exhibit "D", Exhibit "E", Exhibit "F", Exhibit "G", Exhibit "H", Exhibit "I", Exhibit "J", Exhibit "K", Exhibit "L", Exhibit "M", Exhibit "N", Exhibit "O", Exhibit "P".
- (ii) 40 (forty) Cartoon box of Re-kuff+ Cough Syrup (Choline Phosphate & Triprolidine Hydrochloride Syrup) having Batch No- RPLS2003, Mfg. Date July/2023, Exp. dated DEC/2024 made by Wings Novitas Health Care LLP (Containing 144 bottles of the cartoon each bottle 100 ML i.e. 40X144=5760X100 ML = 576000 ML (total 576 Ltr.) and marked as "Exhibit B", Exhibit "BA", Exhibit "BB", Exhibit "BC", Exhibit "BD", Exhibit "BE", Exhibit "BF", Exhibit "BG", Exhibit "BH", Exhibit "BI", Exhibit "BJ", Exhibit "BK", Exhibit "BL", Exhibit "BM", Exhibit "BN", Exhibit "BO", Exhibit "BP", Exhibit "BQ", Exhibit "BR", Exhibit "BS", Exhibit "BT", Exhibit "BU", Exhibit "BV", Exhibit "BW", Exhibit "BX", Exhibit "BY", Exhibit "BZ", Exhibit "B-AA", Exhibit "B-AB", Exhibit "B-AC", Exhibit "B-AD", Exhibit "B-AE", Exhibit "B-AF", Exhibit "B-AG", Exhibit "B-AH", Exhibit "B-AI", Exhibit "B-AJ", Exhibit "B-AK", Exhibit "B-AL", Exhibit "B-AM".
- (iii) 02 (two) Cartoon box of Vincof- TK Cough Syrup (Triprolidine Hydrochloride & Choline Phosphate Syrup) having Batch No- TBHV0691, Mfg. Date 06/2023, Exp. dated 05/2025 made by PIEND PHARMACY (Containing 100 bottles of the cartoon each bottle 100 ML i.e. 2X150=300X100=100=30000 ML (total 30 Ltr.) and marked as "Exhibit C" and "Exhibit CA".
- (iv) 01 (one) Multi colour gunny bag containing 200 (Two Hundred) bottles of CHOCO Cough Syrup containing 100 ML each bottle (Choline Phosphate & Triprolidine Hydrochloride Syrup) having Batch No-MOSL004, Mfg. Date 12/2022, Exp. dated 11/2025 made by gpp AXALADE (Containing 200 bottles of each bottle 100 ML i.e. 200X100=20000 ML (total 20 Ltr.) and marked as "Exhibit D".
- (v) 01 (one) Cartoon containing 20 (twenty) box of RLAM 0.5 each box containing 08 (eight) strip, each strip containing 75 tablet, (total 20X8=160X75=12000 tablets) batch no. 140522 Mfg date 05/2022, Exp date 04/2024 made by Aran Pharma ceticals and marked as "Exhibit E".
- (vi) 01 (one) Cartoon containing 13 (thirteen) box of Nitracel-10 (Nitrazepam Tablets 1 P 10 mg) each box containing 06 (six) strip, each strip containing 50 tablet, (total 13X6=78X50=3900 tablets) batch no T12213 Mfg date OCT/2022, Exp date SEP/2024 made by Excel and marked as "Exhibit F".
- (vii) 01 (one) Cartoon containing 16 (SIXTEEN) box of SPASMOPANE PLUS (Paracetamol Dicyclomine Hydrochloride & Tramadol Hydrochloride Capsules) each box containing 10 (ten) strip, each strip containing 24 tablet, (total 16X10=160X24=3840 tablets) having batch no. PXYER02, Mfg date 07/2022, Exp date 06/2024 made by Nicholas HEALTHCARE LIMITED and marked as "Exhibit G".
- (viii) One transparent plastic packet containing 102 gms (950 pieces) YUVA tablets which was kept in a multi colour plastic bag and marked as "Exhibit H".
- (ix) One transparent plastic packet containing 103 gms (925 pieces) YUVA tablets which was kept in a multi colour plastic bag and marked as "Exhibit I".
- (x) One Multi Colour Plastic bag (SL No. VIII & SL No. IX kept inside) and marked as "Exhibit J".
- (xi) One Light Green Colour Samsung Galaxy Mobile having IMEI No. 3581366424073/01 & 35964871241721/01 from the possession of Sujit Gupta and marked as "Exhibit K".
- (xii) One Light Green Colour Realme Mobile having IMEI No. 864112067323735/13 from the possession of Ashish Saha and marked as "Exhibit L".
- (xiii) Cash of Rs. 93860/- (Rupees Ninty Three Thousand Eight Hundred and sixty) Indian Currency in the denomination of Rs. 500X113=56500/-, Rs. 200X55=Rs. 1100/-, Rs. 100X157=15700, Rs. 50X180=9300/-, Rs. 20X33=660, Rs. 10X70=700/- (Total 93,860.00) and marked as Exhibit "M".

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Complainant /

ie, Police Station

UNDER
Special Magistrate
Jugur Police Station
Police Commissionerate



To
The Inspector In-Charge,
Siliguri Police Station,
Siliguri Police Commissionerate

Dated 06.09.23

Subject:- FIR

Sir,

In producing herewith two (02) arrested accused persons who disclosed their identities namely
1) Sujit Gupta (50year) S/O Sri Hari Shankar Prasad Gupta of Milan Pally, RBS Club, Ward No. 25, PS- Siliguri, Dist- Darjeeling and 2) Ashish Saha (48year) S/O Hara Chand Saha of Vivekananda Nagar near Babu Sing Sporting Club, Ward No. 42, PS- Bhaktinagar, Dist- Jalpaiguri along with the following seized articles seized under proper seizure list duly attached herewith viz :

- (i) 16 (sixteen) Cartoon box of Rukscof Cough Syrup (Chlorpheniramine Mealate & Chodine Phosphate Syrup) having Batch No- TBHV0593, Mfg. Date 05/2022, Exp dated 04/2024 made by Glen Smih(containing 100 bottles of the cartoon each bottle 100 ML. i.e. $16 \times 100 = 1600 \times 100 \text{ ML} = 160000 \text{ ML}$ (total 160 Ltr.) and marked as "Exhibit "A", Exhibit "B", Exhibit "C", Exhibit "D" Exhibit "E", Exhibit "F", Exhibit "G", Exhibit "H", Exhibit "I" Exhibit "J", Exhibit "K", Exhibit "L", Exhibit "M", Exhibit "N", Exhibit "O", Exhibit "P".
- (ii) 40 (forty) Cartoon box of Rc-kuff+ Cough Syrup (Chodine Phosphate & Triprolidine Hydrochloride Syrup) having Batch No-RPLS2003, Mfg. Date July/2023, Exp dated DEC/2024 made by Wings Novitas Health Care LLP (Containing 144 bottles of the cartoon each bottle 100 ML. i.e. $40 \times 144 = 5760 \times 100 \text{ ML} = 576000 \text{ ML}$ (total 576 Ltr.) and marked as "Exhibit "B", Exhibit "BA" Exhibit "BB", Exhibit "BC", Exhibit "BD", Exhibit "BE", Exhibit "BF", Exhibit "BG", Exhibit "BH", Exhibit "BI", Exhibit "BJ", Exhibit "BK", Exhibit "BL", Exhibit "BM", Exhibit "BN", Exhibit "BO", Exhibit "BP", Exhibit "BQ", Exhibit "BR", Exhibit "BS", Exhibit "BT", Exhibit "BU", Exhibit "BV", Exhibit "BW", Exhibit "BX", Exhibit "BY", Exhibit "BZ", Exhibit "B-AA", Exhibit "B-AB", Exhibit "B-AC", Exhibit "B-AD", Exhibit "B-AE", Exhibit "B-AF", Exhibit "B-AG", Exhibit "B-AH", Exhibit "B-AI", Exhibit "B-AJ", Exhibit "B-AK", Exhibit "B-AL", Exhibit "B-AM"
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- (iv) 01 (one) Multi colour gunny bag containing 200 (Two Hundred) bottles of CHOCO Cough Syrup containing 100 ML. each bottle(Chodine Phosphate & Triprolidine Hydrochloride Syrup) having Batch No-MOSL004, Mfg. Date 12/2022, Exp dated 11/2025 made by gpp AXALADE (Containing 200 bottles of each bottle 100 ML. i.e. $200 \times 100 = 20000 \text{ ML}$ (total 20 Ltr.) and marked as "Exhibit "D"

-SIAshim K. Das

no . 140522 Mfg date 05/2022, Exp date 04/2024 made by Aran Pharma ceticals and marked as "Exhibit "E"

- (vi) 01 (one) Cartoon containing 13(thirteen) box of Nitracel-10 (Nitrazepam Tablets I.P 10 mg) each box containing 06 (six) strip , each strip containing 50 tablet, (total $13 \times 6 = 78 \times 50 = 3900$ tablets) batch no T12213 Mfg date OCT/2022, Exp date SEP/2024 made by Excel and marked as "Exhibit "F"
- (vii) 01 (one) Cartoon containing 16(SIXTEEN) box of SPASMOPANE PLUS (Paracetamol Dcyclomine Hydrohloride & Tramodol Hydrochloride Capsules) each box containing 10 (ten) strip, each strip containing 24 tablet, (total $16 \times 10 = 160 \times 24 = 3840$ tablets) having batch no. PXYER02, Mfg date 07/2022, Exp date 06/2024 made by Nicholas HEALTHCARE LIMITED and marked as "Exhibit "G"
- (viii) One transparent plastic packet containing 102 gms (950 pieces) YUVA tablets which was kept in a multi colour plastic bag and marked as "Exhibit "H"
- (ix) One transparent plastic packet containing 103 gms (925 pieces) YUVA tablets which was kept in a multi colour plastic bag and marked as "Exhibit "I"
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I, SI Ashim Kumar Das of Khalpara TOP-II under PS, Siliguri Police Commissionerate do hereby lodge this written complaint against 1) Sujit Gupta (50year) S/O Sri Hari Shankar Prasad Gupta of Milan Pally, RBS Club, Ward No. 25, PS- Siliguri, Dist- Darjeeling and 2) Ashish Saha (48year) S/O Hara Chand Saha of Vivekananda Nagar near Babu Sing Sporting Club, Ward No. 42, PS- Bhaktinagar, Dist-Jalpaiguri to the effect that on today i.e on 06.09.23 at 16.30 hrs I have received a specific source information that two persons are stock huge quantity cf contraband Cough Syrup in the house of Somarjit Ghosh @ Bhombal rented by Ashish Saha and Sujit Gupta situated at near Morden boys club, Chandra Park under PS Siliguri for sock the same for their wrongful gain. The matter has been diarized vide Khalpara TOP GDE No.147 Dt- 06.09.23. Accordingly I informed the matter to Sri Anupam Majumder, Inspector In-Charge, Siliguri Police Station, SPC and expressed the entire information accordingly and he directed to me to work out the information immediately. Hence at about 16.40 hrs as per his kind direction myself along with SI, Mrinmay Ghosh O/C Khalpara TOP, ASI Inzamamul Haque, ASI Kalachand Singha, ASI Raju Sarkar C/1183 Nikhil Saha C/706 Tapan Debnath, C/717 Hirak Roy, C/736 Subrata Barman, 1703 Suchandan Saha all of Khalpara TOP under Siliguri, Police Station, Siliguri Police Commissionerate left for Jhankar More area to verify the veracity of the information vide M C C. No. 289/23, dt. 06.09.23 which refers to GDE No.148 Dt. 06.09.23 by Govt.Vehicle No. WB 24Y/5978 driven by CV-142/Biswajit Das.

SI Ashim Kumar Das

At the time of departure from TOP I took envelope, white paper, sealing wax, gum, seal, weigh machine, Laptop, Printer etc. At about 16.55 hrs we reached at house of Somarjit Ghosh @ Bhombal rented by Ashish Saha and Sujit Gupta situated at near Morden boys club, Chandra Park under PS Siliguri kept our vehicles at a considerable distance. Subsequently we called house owner namely Somarjit Ghosh @ Bhombal and two independent witnesses namely; (1) Vivekananda Singh (58 year) S/O Late Chandrika Singh of Govt. Saw Mill road, Ward No. 04, PS Siliguri, Dist Darjeeling, (2) Sanjay Barman (28 year) S/O Prafulla Barman of Kanchan Bari, Fulbari, PS- New Jalpaiguri, Dist- Jalpaiguri and disclosed our identities and informed them about the information in hand and requested them in writing to accompany us to witness the Police action. They agreed & gave in writing about their consent to accompany Police during the raid.

Then as per source information we entered into the house of Somarjit Ghosh @ Bhombal and as per identification by the source I managed to cordon the house of Somarjit Ghosh @ Bhombal and found that the above noted persons were present their rented house accordingly we detained them. After disclosing our identities, in presence of independent witnesses we had a strong reason to believe that the detained persons were stocking contraband Cough Syrup with tablets in their joint possession for disposing the same at Siliguri area in concealed manner for supplying/ selling the same in Siliguri and its adjacent area for their wrongful gain. On being asked they disclosed their identity as noted above and admitted that they possessed contraband Cough Syrups with tablets. Then I gave them option in written whether they wanted to be searched in presence of Executive Magistrate or any Gazetted Police Officer. They agreed to be searched by anyone of them. Further I served them option notice in accordance with provisions of law in this regard in writing and he also gave his approval of being searched by any one of them in writing on the notice served to them. Then I informed the matter to Sri Rajen Kumar Chhetri Asst. Commissioner of Police, Detective Department, SPC (Executive Magistrate) & I requested him to come at Chandra Park house of Somarjit Ghosh @ Bhombal rented by Ashish Saha and Sujit Gupta situated at near Morden boys club, Chandra Park under PS Siliguri to remain present and supervise the search, seizure and labeling being a Executive Magistrate . Accordingly at 18.30 hrs Sri Rajen Kumar Chhetri Asst. Commissioner of Police, Detective Department, SPC (Executive Magistrate) arrived at the spot and disclosed his identity to the detained persons as well as to the witnesses as a Executive Magistrate. I also offered the independent witnesses and the accused persons to search our Police Party as per provision of law. But they refused to search the police party. Under the supervision of Sri Rajen Kumar Chhetri Asst. Commissioner of Police, Detective Department, SPC (Executive Magistrate) and in presence of two independent and disinterested public witnesses searched the detained persons following all formalities keeping their decency. Then, we searched the rented rooms of Sujit Gupta and Ashish Saha and found that the above seizure articles kept concealed in the said rooms which were not visible from the outside. Then the detained persons confessed that they were in concealed manner for selling/supplying to young boys at siliguri and its adjacent area. On demand in presence of the Sri Rajen Kumar Chhetri Asst. Commissioner of Police, Detective Department, SPC (Executive Magistrate) they failed to produce any valid document in support of possessing of the said contraband Cough Syrup with tablets which was stocking by them.

Accordingly I counted the said Cough Syrup, which was found in the joint possession of the above noted detained persons and found huge quantity cough syrup with tablets Then, I seized the above noted articles under proper seizure list and labeled, duly signed by the above noted witnesses, Police personnel and the Executive Magistrate Sri Rajen Kumar Chhetri Asst.

S/Ashim K. Das

Commissioner of Police, Detective Department, SPC and duly acknowledge by the detained persons. I also supplied a copy of seizure list to the detained persons. The whole search, seizure & label were made in between 18.35 hrs and 22.35 hrs. On further asked the apprehended persons confessed in presence of Executive Magistrate Sri Rajen Kumar Chhetri Asst. Commissioner of Police, Detective Department, SPC and other witnesses that they procured the said seized Cough Syrup with tablets for the purpose of illicit gain. On interrogation they disclosed that they had been dealing in such business of selling of said Cough Syrup with tablets illegally since long. Then I arrested the above noted accused persons after observing all guidelines of Apex court.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely 1) Sujit Gupta (50year) S/O Sri Hari Shankar Prasad Gupta of Milan Pally, RBS Club, Ward No. 25, PS- Siliguri, Dist- Darjeeling and 2) Ashish Saha (48year) S/O Hara Chand Saha of Vivekananda Nagar near Babu Sing Sporting Club, Ward No. 42, PS- Bhaktinagar, Dist-Jalpaiguri

Yours faithfully,

SI Ashim Kumar Das

Khalpara TOP-II under Siliguri PS
Siliguri Police Commissionerate

Received on 06.9.2023 at 23:45 Pm,
vide Siliguri P.S. GDE no. 407, date -
06.9.2023 and started Siliguri P.S.
case no. 737/23, date - 06.9.2023,
u/s 21(e) of N.D.P.S. Act. SI Subhendu
Das has been endorsed for investigation.

①

06.9.20

Inspector-In-Charge
Siliguri Police Station
Siliguri Police Commissionerate