

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

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1. Dist. Pradhannagar Police Station P.S. Pradhannagar Year 2023 FIR No. 825/23 Date 08/10/23

2. i) Act Sections 21(c), 32(c), 27A, 29 of NDPS Act Sections NDPS Act

(ii) Act Sections (iv) Others Acts & Sections Sections

3. (a) Occurrence of Offence : Day on 08/10/23 Date To 16.30 hrs.
Time Period 15.50 hrs Time From 16.55 hrs. Time To 16.55 hrs.

(b) Information received at P.S. Date on 08/10/23 Time 16.55 hrs.

(c) General Diary Reference : Entry No(s) 479 Time 16.55 hrs.

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.
(b) Address Below mahamanda bridge, near parvati chat, p.s. Pradhannagar, Dist. Darjeeling
(c) In case outside limit of this Police Station, then the Name of the P.S. - District -

6. Complainant / Informant
(a) Name SI Goufarn Malik
(b) Father's / Husband's Name Indiam
(c) Date / Year of Birth : - (d) Nationality Indiam
(e) Passport No. - Date of Issue : - Place of Issue -
(f) Occupation Service in West Bengal Police
(g) Address Pradhannagar P.S./ SPC

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :
Roham chettri (M/22), S/O Lt. milan chettri, of photo Busty, Chowrasta, p.s. Sadar, Dist. Darjeeling and others

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
(i) one paper made cartoon containing 36 (thirty six) bottles of chlorpheniramine maleate and codeine phosphate cough syrup Linetus, PHENSFEDYL, each bottle containing 100 ml. having batch No. PHC22052 mfg date Jun, 2022, Expiry dt. Nov, 23, MRP RS. 205.31 of each bottle, which was kept inside a red colour nylon bag, marked as exhibit 'A', (ii) one red colour nylon bag marked as exhibit 'B'.

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 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 SI Asit 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.

14. Signature / Thumb impression of the Complainant / Informant SI Goufarn Malik

15. Date & Time of despatch to the court : on 09/10/23 at 10.00 hrs.

Inspector-in-Charge
Pradhannagar Police Station
Signature of the Officer-in-Charge, Police Station
Name Amirban Bhattacharjee
Rank : No. Insp. of police

To
The Inspector-In-Charge,
Pradhan Nagar PS,
Siliguri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith 01 (one) arrested accused person named Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling along with the following articles under proper seizure. The ground of arrest duly been communicated with him.

- (i) One paper made cartoon containing 36 (Thirty six) Bottles of Chlorpheniramine Maleate & Codeine Phosphate Cough Linctus, "PHENSEDYL" each bottle containing 100 ml having batch No PHC22058. Mfg Date Jun-2022, Expiry date Nov-23, M.R.P Rs 205.31 each bottle, which was kept inside a red-colour nylon Bag, marked as "Exhibit- 'A'".
- (ii) One Red colour nylon bag marked as "Exhibit- 'B'".

I, SI Goutam Mallik S/O Late Nikhil Ranjan Mallik of Pradhan Nagar PS, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted arrested accused person named Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling to the effect that on 08.10.23 at 14.20 hrs I, received a reliable specific source input that one person possessing huge quantity of illegal 'Codeine Phosphate' based Cough Syrup without any valid license is standing at below Mahananda Bridge near Parbati Ghat under PS Pradhan Nagar, Dist. Darjeeling to deliver the same to his designed customer. Accordingly, the matter was diarized in General Diary vide Pradhan Nagar PS GDE No 469 Dt 08.10.23 and subsequently, I informed the matter to the Inspector-in-Charge, Pradhan Nagar PS in written. I also informed one Videographer namely Somnath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling over telephone and directed him to come at below Mahananda Bridge near Parbati Ghat under PS- Pradhan Nagar, Dist.- Darjeeling with his video camera for the purpose of videography if required. Subsequently, being directed by Inspector-in-Charge, Pradhan Nagar PS, SPC myself along with SI Youel Lepcha, ASI Manoj Kr Roy, ASI Biplob Kr Das, CV/223 Swapan Chhetri, CV/242 Rakesh Monger and CV/128 Ajoy Kr Sahani all of Pradhan Nagar PS, SPC left for below Mahananda Bridge near Parbati Ghat by Govt. vehicle to verify the veracity of the information with investigation kits. This refers to Pradhan Nagar PS GDE No 470 Dt. 08.10.23 and M.C.C No 4445/2023 date 08.10.2023. On the way I briefed all of them and share the information in hand. Under this circumstances any search warrant or authorization for search cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

At about 14.40 hrs I along with above mentioned officers and force reached at near Parbati Ghat under Pradhan Nagar PS and contacted two independent witnesses namely (i) Jiten Prakash Beck S/O Alexius Beck of 45/21 Bagha Jatin Colony, PS- Pradhan Nagar and (ii) Pintu Dutta S/O Late Ahendra Dutta of 45/19, Bagha Jatin Colony, PS- Pradhan Nagar, Dist.- Darjeeling and informed them about the source input and requested them in written to act as witness, if any search and seizure would be made necessary upon which they agreed. At about 14.50 hrs being pointed and identified by the source I, noticed that one person with a red colour bag in his right hand is standing below Mahananda Bridge. Accordingly, I along with above noted officers and force cordoned the said place from each corner and manage to detain the suspected person with a red colour nylon bag in his right hand. Thereafter, we disclosed our identity as police personnel and inform him regarding the information in hand and stated him that he will be searched in person for the said purpose.

On being asked the detained person disclosed his identity as Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling and admitted that he has illegally possessed cough syrup for selling the same to his designed customers as per their requirement. I, then gave him option in writing whether he wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above. Accordingly, I informed the matter to the I/C, Pradhan Nagar PS and as per his kind order, I informed the fact to Shri Gyalsen Lepcha, WBPS, ACP, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, of SPC for the day regarding interception of the accused person suspected to be possessed illegal Codeine Phosphate' based Cough Syrup and requested him to come at below Mahananda Bridge near Parbati Ghat under PS- Pradhan Nagar, Dist.- Darjeeling to remain present and to supervise the search and seizure.

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Accordingly at 15.40 hrs Shri Gyalsen Lepcha, WBPS, ACP, Siliguri Police Commissionerate arrived at the spot at below Mahananda Bridge near Parbati Ghat. Then, I offered the independent witnesses and the detained person to search our Police Party as per provisions of law but they denied to search the police party. Thereafter, in presence of Shri Gyalsen Lepcha, WBPS, ACP, SPC and independent witnesses, I searched the detained person following all formalities, keeping his strict regard of decency but found nothing except his wearing apparels but on searched the red colour bag in his possession recovered 36 (Thirty six) of bottles of Chlorpheniramine Maleate & Codeine Phosphate Cough Linctus, "Phensedyl" containing 100 ml in each bottle having batch No PHC 22058, Mfg Date Jun-2022 Expiry date Nov-23, M.R.P Rs 205.31 each found in a paper made cartoon which was kept inside the said red colour bag. On demand in presence of Shri Gyalsen Lepcha, WBPS, ACP, Siliguri Police Commissionerate as well the independent witnesses the detained person failed to produce any valid documents/papers for possessing of such a huge quantity of 'Codeine Phosphate' based Cough Syrup. On further interrogation he admitted his guilt and stated that he had procured the said 'Codeine Phosphate' based Cough Syrup clandestinely from one of his supplier for the purpose of selling the same in high rates to his designed customers and also stated that he is waiting for his customer to deliver the same for his personal gain by illegal means. He also disclosed that he has been dealing such type of business of procuring and selling of 'Codeine Phosphate' based cough syrup illegally for last few months for his wrongful gain.

Accordingly, I seized the recovered 36 (Thirty six) bottles of Chlorpheniramine Maleate & Codeine Phosphate Cough Linctus, "Phensedyl" containing 100 ml in each bottle having batch No PHC 22058, Mfg Date Jun-2022, Expiry date Nov-23, M.R.P Rs 205.31 each found in a paper made cartoon, marked as "Exhibit- A" and one red-colour nylon Bag marked as Exhibit-'B' from the possession the above noted accused named Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling under proper seizure list in presence of in presence of Shri Gyalsen Lepcha, WBPS, ACP, Siliguri Police Commissionerate, and independent witnesses and obtain their signature and acknowledged by the accused person. Subsequently, I sealed and labelled the seized articles in presence of Shri Gyalsen Lepcha, WBPS, ACP, SPC, independent witnesses and the above noted accused person. The whole process of search, seizure and label was made under the coverage of videography by the videographer named Sonmath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling in between 15.50 hrs to 16.30 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act. Then, I arrested the above noted accused person named Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling after observing all formalities and informing the ground of his arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused person namely Rohan Chettri (22 yrs) S/O Late Milan Chettri of Bhote Busty, Chowrastha, PS- Sadar, Dist.- Darjeeling and arrange for its investigation.

Enclosures:

- i) Original Memo of Arrest.
- ii) Original seizure list along with seized articles and other relevant documents..

Received on 02/10/23 at 10.55 hrs vide.
PDN P.S. GDE NO. 499 and is registered PDN
P.S. case No. 225/23 Dt. 08/10/23 U/s 21(c),
22(c), 27A, 29 of NDPS Act and is endorsed
to Sr Asit Saha for its investigation.

08/10/23
Inspector in Charge
Pradhannagar Police Station
Siliguri Police Commissionerate

Yours faithfully,

G. 08/10/23
(SI Goutam Mallik)
Pradhan Nagar PS, SPC
Date: 08.10.2023