

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1. Dist. Siliguri P.C. P.S. Cyber Crime Year 2024 FIR No. 13/24 Date 24/01/24 ⁴⁶³

2. i) Act. IPC Sections 419/420/465/481/477 ii) Act. _____ Sections _____

iii) Act. _____ Sections _____ iv) Others Acts & Sections _____

3. (a) Occurrence of offence : Day On & Before Date From 27/04/2022 Date To _____

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 24/01/24 Time at 15:15 hr

(c) General Diary Reference : Entry No (s) 278 Time at 15:15 hr

4. Type of Information Written Written / Oral (Court Complaint)

5. Place of Occurrence : (a) Direction and Distance from P.S. _____ Beat No. _____

(b) Address Cyber Space

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

Name of the P.S. _____ District _____

6. Complainant / Informant :

(a) Name Mukesh Kumar Gupta

(b) Father's / Husband's Name Ratan Lal Gupta

(c) Date / Year of Birth 29 years (d) Nationality Indian

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

(f) Occupation Service

(g) Address Maharaj Colony, Near Vivekananda School, P.S. - Siliguri, Dargajiling District.

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

(Attach separate sheet, if necessary) :

Unknown person.

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 _____

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 ASI Abhijit Biswas of C.P.C. S.P.C. to take up investigation / refused investigation / transferred to P.S. _____ on point of jurisdiction. FIR read over to the Complaint / 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 As noted in Complaint

15. Date & Time of despatch to the court : On 29/01/24 at 10:00 hr.

Signature of the Officer-in-Charge, Police Station Prashant Chaudhary

Name S.P.C. C.P.C. S.P.C.

Rank : No. Inspector-In-Charge

Cyber Crime Police Station

Siliguri Police Commissionerate



Filed by
A. Choudhary
(Adv)

IN THE COURT OF LD. ADDL. CHIEF JUDICIAL MAGISTRATE SILIGURI

P.S- Siliguri.

Case No. 2 of 2024

In the matter of:

An application under section 156(3) of
the code of criminal procedure 1973.

And

In the Matter of :

Mukesh Kumar Gupta
S/O Ratan Lal Gupta
Maharaj Colony
Near Vivekananda School
Siliguri
West Bengal-734005

..... Complainant

-vs-

Unknown

..... Accused Person/Persons

The humble petition of the complainant
above named.

Most Respectfully Sheweth:

1. That Your Petitioner/Complainant is a peace loving, law abided citizen of India and a permanent resident of the above address.

The Aadhar Card of the Complainant is Annexed herewith and marked as Annexure-"A"

2. That the accused person is unknown to the Complainant involved in fraudulent activities.
3. That the Complainant states that the Complainant received one mail in his mail id-mukeshgupta982@gmail.com from the Income Tax Authority on 30th December 2023 asking for a clarification of High value transaction of Rs. 10,71,953/- in the Assessment Year 2023-24, which shows in GST Portal against his PAN BEOPG6683Q. After receiving this mail, the

Solemnly Affirmed & Declared
before me on Identification

(Rajendra Prasad)
NOTARY
Siliguri

11:1 JAN 2024

Mukesh Kumar Gupta



Seen
24/01/24

Inspector-In-Charge
Cyber Crime Police Station
Siliguri Police Commissionerate

Complainant was shocked, as he neither did any business nor applied for any GST number using his PAN number at any point of time. The Complainant is doing service in a Private company at Siliguri as an Accountant.

The Copy of mail received by the Complainant from Income Tax Department is Annexed herewith and marked as "Annexure-B".

That on the basis of the said letter the Complainant have searched the GST Portal with his PAN number and found from the said portal that one Company was opened in the name of "INDRA ENTERPRISE" using the Complainant PAN no and his name on 27.04.2022 in the address at 707-Sarvapriya Apartment, INTERNAL ROAD, Opp 12/1,15/15 Sarvapriya Vihar, New Delhi, South Delhi-110016. The Complainant states that he never attached with the "INDRA ENTERPRISE" or with the premises no 707-Sarvapriya Apartment, INTERNAL ROAD, Opp 12/1,15/15 Sarvapriya Vihar, New Delhi, South Delhi-110016, never transacted the sum of Rs.1,70,71,953/- as shown therein.

The Copy of registration details of the "INDRA ENTERPRISE" is attached herewith and marked as "Annexure-C".

5. That thereafter the Complainant have immediately put one complain in GST Portal regarding such misuse of his PAN no and KYC document by some unknown person/persons, vide ARN07BEOPG6683Q1ZI-AA070124000110D dated 01.01.2024.

The Copy of the said Complain is Annexed herewith and marked as Annexure-"D"

6. That Your Complainant states that he never do/did any business, applied/taken any GST No and not done any short of transaction at any point of time, not only that never he was the beneficiary of the said High Value transaction. Further the Complainant suspect that someone forging the signature of the Complainant by preparing forged and fabricated documents using his PAN and KYC dishonestly, misappropriated the same by which that person have wrongful gain and the Complainant have suffered wrongful loss and as such the Complainant reported the matter to Siliguri Police Station by Speed Post stating all the facts therein and further the copy was forwarded to the Superintendent of Police Darjeeling District and Siliguri Police Commissionerate Cyber Authority by mail dated 08.01.2024 to take legal steps against the accused person but the Police Authority is remain silence. As there is no other alternative to save himself

Solemnly Affirmed & Subscribed before me on this 24/01/24

(Rajendra Prasad)
NOTARY
Siliguri

Inspector-in-Charge
Cyber Crime Police Station
Siliguri Police Commissionerate

Makeesh kr Gupta



person your petitioner submitting this application before this Ld. Court for appropriate order as provided under section 156(3) Cr.P.C.

The copy of said complaint along with postal receipt, track report and e-mail copy is enclosed herewith as annexure- 'E' & 'F'.

7. That there is no other case is pending over the self same issue.
8. That if the prayer of the petitioner will not be allowed your petitioner will suffer irreparable loss and injury.
9. That this application is made bonafide and for the interest of Justice.

It is prayed that your honour would be please to consider the above and directed the O/C Siliguri P.S to investigate the alleged offence treating this petition as FIR as provided u/s 156(3) Cr.P.C. and pass such order/ orders as your Honour may deem fit and proper.

And for this act of kindness your petitioner as in duty bound shall ever pray.

Mukesh kr Gupta

Solemnly Affirmed & Declared
before me on Identification

(Rajendra Prasad)
NOTARY
Siliguri

Seen
24/01/24
Inspector-In-Charge
Cyber Crime Police Station
Siliguri Police Commissionerate



Affidavit

I Mukesh Kumar Gupta, aged about 29 years S/O Ratan Lal Gupta, by faith-Hindu, by occupation-Service, residing at Maharaj Colony, Near Vivekananda School, Siliguri, West Bengal-734005 do hereby solemnly affirm and say as follows :

1. That I am the Complainant/Petitioner in the instant case and is well known about the facts and Circumstances stated in the petition of Complain.
2. That Statements made in Paragraph No-1 to 7 are true to the best of my knowledge and belief and rest are my humble submission before this Ld. Court.

Identified by Me

Mukesh kr Gupta.
Deponent

A. Chakraborty

Advocate

P/461/2020.

I have verified the Aadhar card
no. 7733...7442...7050 and
Enrollment number of th Id, advocate

Received on 24/01/24 at 15:15 Pm Vide
CPS G.D.E No-278 Dtd- 24/01/24 of
registered cyber Crime PS Case
No-13/24 Dtd. 24/01/24 U/S-419/420
1465/468/47 IPC & endorsed to
Asst Abhijit Biswas for its investigation

Inspector-In-Charge
Cyber Crime Police Station
Siliguri Police Commissionerate

Rajendra Prasad
Notary Siliguri
Appd. by Govt. of India

Solemnly Affirmed & Declared
before me on Identification,

(Rajendra Prasad)
NOTARY
Siliguri.

ATTESTED

Solemnly Affirmed before me

by M.K. Gupta

Of Siliguri

Identified by A. Chakraborty Adv.

This 11th of Jan 2024

11 JAN 2024