

FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)

3063



1. Dist. SPC PS Bhakhnagar Year 2021 FIR No. 207/21 Date 25/02/2021
 2. Sections 495A/373/375/ a) Act 21/23 sec 3/4 b) P. A. U.
 3. Sections 308/506/34 (iv) Offences Acts & Transactions
 Date From 04/12/2017 Date To 30/11/2020
 Time From — Time To —

(b) Information received at P.S. Date 25/02/2021 Time 17:15 hr
 (c) General Diary Reference Entry No(s) 1531 Time 17:15 hr

4. Type of Information Written / Oral

5. Place of Occurrence (a) Direction and Distance from P.S. 5 km east

(b) Address East Hahadanga B Dahgram II, PO Sahudangi, Ikt PS, Fatakhera
Bhakhnagar, Dist: Jalandhar

(c) In case outside limit of this Police Station, then the
 Name of the P.S. — District —

6. Complainant / Informant

(a) Name Sujit Debnath

(b) Father's / Husband's Name S/O (1) Dhiren Debnath

(c) Date / Year of Birth: 55 years

(d) Nationality Indian

(e) Passport No. —

Date of Issue: —

Place of Issue —

(f) Occupation —

(g) Address East Hahadanga, Dahgram II, Sahudangi Ikt, PS Bhakhnagar, JPC

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

(Attach separate sheet, if necessary):

① Sarjay Dhal S/O Sadananda Dhal ② Sadananda Dhal S/O
not known ③ Smt Anamika Dhal w/o Sadananda Dhal
all of East Fatakhera, Hahadanga Main Road, PO Ahogomali, PS Bkn

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 reproduced overleaf.

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 S.I. P. BARMA OF ARINAHAR OP 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 Signature - Original Complaint

Signature of the Officer-in-Charge, Police Station

Name: DANA THERING SHERPA

Rank: No. SI OF POLICE

BKN PS/SPC

15. Date & Time of despatch to the court:

but this time it was not only limited to the victim girl only but also to the child, while she was subjected to hear that the audacity of going to the panchyat was one of the biggest mistakes of her (MOON DEBNATH'S) life.

11. That thereafter on 03.04.2020 they (the accused persons) threw out the daughter of the complainant from her matrimonial home with a demand of rupees 4,50,000/- (four lacs and fifty thousand rupees only) and the accused persons assaulted the daughter of the complainant as a result of which she got several physical injuries and got treated by Siliguri District Hospital on 04.04.2020 by Dr. Anirban Nandi. The copy The O.P.D. Patient Card dated 04.04.2020 Issued by the Siliguri District Hospital is attached as Annexure 4.

12. That thereafter on 30.10.2020 the victim girl MOON DEBNATH (DHALI) again beaten by her husband and mother-in-law grievously and got serious whole bodily injury, which is specifically mentioned in O.P.D. Patient card dated 31.10.2020 Issued by Siliguri N.B.M.C Hospital of which the copy is attached here as annexure 5.

13. That several times the complainant and his daughter went to Ashigarh police out post to lodge written complaint against the above mentioned accused persons along with the supportive medical documents but they refused to lodge / start a criminal motion against the accused persons. Copy of Complaint dated 04.04.2020 and 31.10.2020 has been attached here as exhibit 6 and 7.

14. That because of the inactivity of the police personnel the accused persons became more venerable and on 19.02.2021 the accused No. 1 (Sanjay Dhali) beaten MOON DEBNATH(DHALI) and demanded money from her. Whenever she refused Anamika Dhali i.e. the accused No. 3 and Sanjay Dhali, i.e. the accused No.1 and Sadananda Dhali, accused No. 2. Started giving her voluntary gravious hurt by using wooden lathi and accused No. 2, brought 'Bathi Dah' and assaulted her seriously. And threw her out of her said matrimonial home. On 19.02.2021 MOON DHALI, the victim girl, got medical treatment under Siliguri District Hospital. Copy of Vide O.P.D. Patient Card dated 19.02.2021 is here attached as annexure 8.

15. That 20/02/2021 the complainant and his daughter went to ashigarh police out post and Bhaktinagar Police station to lodge written complaint against the above



MB 48/21

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Filed by
Anshu

IN THE COURT OF THE LD. CHIEF JUDICIAL MAGISTRATE AT JALPAIGURI

REF : MISC. CASE NO. _____ /2021

IN THE MATTER OF : AN APPLICATION U/S - 156(3) OF Cr.P.C.

IN THE MATTER OF : SUJIT DEBNATH (Age - 55 yrs).
Father Of - Moon Debnath (Dhali) (Victim Girl)
Son Of - Late Dhiren Debnath
Resident Of East Hatiya Danga , Dabgarm II,
P.O. - Sahudangi Hut, P.S. -
Bhaktinagar, (Ashigarh Out Post),
Dist. - Jalpaiguri, PIN - 735135

.....Complainant

Vs.

1. SANJAY DHALI
S/O - Sadananda Dhali
2. SADANANDA DHALI
S/O. - Not Known

3. SMT ANAMIKA DHALI
W/O - Sadananda Dhali,

All are the residents Of
East Fakdaibari, Hatladanga Main Road
P.O. - Ghoogumali, P.S. - Bhaktinagar,
Dist. Jalpaiguri

.....Accused Persons

OFFENCE COMMITTED: U/S - 498A /323/325/308 /506/34/ of I.P.C.
R/W Section 3/4 of Dowry Prohibition Act
and other offences as would be investigated
by the investigating agency.



Received on 25/02/2021 at 19.15 hrs via
C2B/NO 1531 dt 25/02/2021 on
started Bkn PS Case NO 202/2021
dt 25/02/2021 U/S 498A/323/325/308/506
74 W/O on enclosed 16 same to
SI P. Barua for its investigation
25/02/2021

22
55/2020/28755
Filed by
Anandhady
Adv
14/08/2020

5. That after the social marriage the daughter of the complainant and the accused no. 1 started to live together as husband and wife at the above mentioned residential address of the accused persons.

6. That after passing few months the accused no. 1 namely Sanjay Dhali started cruel behavior with the victim girl i.e. Moon Debnath (Dhali) and physically assaulted my daughter with fist and blows.

It is pertinent to mention here that the parents - in - laws i.e. the accused no. 2 & 3 instead of saving / rescuing her instigated the accused no. 1.

7. That since the victim girl namely MOON DEBNATH (DHALI) became pregnant she was subjected to mental and physical cruelty alling that the child is not the offspring of the accused husband along with her in- laws i.e. accused no. 2 & 3, the daughter of the complainant was forced to pass her days in starvation at the time of her pregnancy and ultimately the victim girl was let out from her matrimonial home.

8. That on 31/08/2018 daughter of the complainant i.e. the victim girl gave birth a male child namely SHUBHRANEEL DHALI, under the care of the complainant. After the birth of male child all of the accused persons brought MOON DEBNATH (DHALI) to her matrimonial home reassuring that she will not be subjected to cruelty ever again. Copy of the Birth certificate of the child (SHUBHRANEEL DHALI) is attached as annexure 3.

9. That after some time of the victim girl's return to her matrimonial home the Accused persons again started to torture upon her due to demand of money and frequently the complainant fulfilled the demands of money with a hope for happy conjugal life of her daughter but irrespective of fulfillment of demands of accused persons, the accused persons did not stop torturing the victim girl.

10. That ultimately in the month of February 2020 the complainant goes to the local panchyat member of that area to stop torture of the accused persons above named upon his daughter and the accused persons assured the complainant in front of the local panchyat that they will never torture upon her (MOON DEBNATH DHALI) but the assurance was nothing but a lie as they never complied with whatever they have promised/ assured and started mental/ physical torture again





AFFIDAVIT

I, SUJIT DEBNATH, Father Of – Moon Debnath (Dhali) (Victim Girl) son Of – Late Dhiren Debnath Resident Of East Hatiya Danga , Dabgarm II, P.O. – Sahudangi Hut, P.S. – Bhaktinagar, (Ashigarh Out Post), Dist. – Jalpaiguri, PIN – 735135, do hereby solemnly affirm and declare as follows :-

1. That I am the complainant of this case and I know the facts of this case.
2. That the statements made in para no. 1 to 20 are true to best of my knowledge and belief and rest are my humble submission.
3. That no specific case has been started against the accused persons in respect of the complaints/FIRs dated 04.04.2020, 31.10.2020 and 19.02.2021.

I sign this affidavit on this 23rd day of February, 2021 at Jalpaiguri.



Sujit Debnath

Deponent

Identified by me

Amal Kumar Sarkar
Advocate

Solemnly affirmed before me
on Proper Identification

Amal Kumar Sarkar, NO. 107
Govt. of W.B., Jalpaiguri
Regn. 73/07

23 FEB 2021

mentioned accused persons along with the supportive medical documents (which had been recorded in CCTV footage of both the police station) but they refused to lodge / start a criminal motion against the accused persons lastly the complainant filed a complaint before the office of the commissioner of Siliguri Metropolitan Police but no fruitful result came out. Copy of the Complaint dated 20.02.2021 is attached as annexure 9

It is pertinent to mention here that the accused No. 1 is a gamble addict and the money he regularly demanded was incurred for his expenses due to his habitual gambling.

16. That the present situation is such that if emergent steps are not taken by the police authorities and if the accused persons are not booked under law then the Complainant and his daughter (victim girl) shall be left with the violation of the natural rule of justice.

17. That it is the last and the only way towards the complainant and his Daughter to find the justice conferred by the law of the land.

18. That if this application is not allowed then there will be irreparable loss to the complainant and his daughter and they will suffer highly.

19. That this application is made with Bona-fide intention and for the ends of justice.

20. That the above named accused persons have committed offences U/S - U/S - 498A /323/325/308 /506/34/ of I.P.C. R/W Section 3/4 of Dowry Prohibition Act and other offences as would be investigated by the investigating agency

Under the above circumstances it is prayed that your Honour would graciously be pleased to send these complaints / First Information Reports to the Inspector-In-Charge of Bhaktinagar Police Station or to the Officer-in-charge of Ashighar Police Outpost with a direction to investigate the matter after treating this complaints as FIR as per the provision U/S - 156(3) of Cr.P.C , for the ends of justice.

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

Aditya
22/11/2017
Filed by Anand Dhal
Adi

The complainant above named beg to state as follows :-

1. That the complainant above named is a law abiding, peace loving citizen resides within the Jurisdiction of this Ld. Court. The Complainant is the father of the Victim girl namely MOON DEBNATH (DHALI).
2. That the daughter of the complainant i.e. the victim girl MOON DEBNATH (DHALI) got married with the accused no. 1 namely Sanjay Dhal S/O – sadanand Dhal on 26/11/2017 as per special marriage Act, 1954 (vide certificate no. 258 dt. 26/11/2017). Copy of the Certificate attached as Annexure 1.
3. That a social marriage solemnized on 04/12/2017 as per Hindu rites & customs at the above mentioned residential address of the complainant. At the time of social marriage there was a pressure of demand of dowry on the part of the above name accused persons and when the complainant expressed his inability to fulfill their dowry demands the accused persons, they threatened the complainant and his daughter to break down the marriage, therefore they made the complainant bound to fulfill their dowry demands.
4. That at the time of social marriage 4 pieces gold chains, 2 pieces of finger rings, 2 sets of earrings, 10 sets of nose rings, 1 piece almira, 1 wooden bed, 1 led TV, 1 show case many house hold articles etc and cash of rupees 3,20,000/- (Three Lacs Twenty Thousand only) had been given to the accused persons as per their dowry demand. Which are still in the possession of the accused persons. Copy of List of articles attached as annexure 2.

It is pertinent to mention here that at the time social marriage many valuable ornaments, articles, gifts and house hold articles had been given to the Moon Debnath (Dhali). This can be amounted as Stridhan Property which is still in the possession of the accused persons.

