

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

641

1. Dist. SPC. P.S. Bhaktinagar Year 2025 FIR No. 335/25 Date 16.04.2025

2. i) Act Sections 3(1), (2), (4) of Scheduled Caste and Scheduled Tribe (Offences) Act, 1989. ii) Act - Sections - iv) Others Acts & Sections -

3. (a) Occurrence of offence : Day - Date From 23-03-2025 Date To -

Time Period - Time From - Time To -

(b) Information received at P.S. Date 16.04.2025 Time 2225 hrs.

(c) General Diary Reference : Entry No (s) 765 Time 2225 hrs.

4. Type of Information Written Written / Oral

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

(b) Address Land measuring 1.022 acres, comprised in R.S. Khatian No-343, L.R. Khatian No-178, corresponding to R.S. Plot No-383, L.R. Plot No-48/106 in Sheet No-8, L.R. Sheet No-17, Mouza - Babuysan, Dist - Palpaiguri.

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

6. Complainant / Informant :

(a) Name Firu Oraon

(b) Father's / Husband's Name Lt. Tenla Oraon

(c) Date / Year of Birth - (d) Nationality -

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

(f) Occupation -

(g) Address 2nd Mile, Sevoke Road, PS-Bhaktinagar, Dist. Palpaiguri.

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) :- Sri Sarju Sharma s/o Lt. Jagadish Prasad Sharma of Shastri Nagar, 75kon Mundir Road, Near Bishu Mann-gal High School, Ward No-41, PO-Sevoke Road, PS-Bhaktinagar, Dist-Palpaiguri.

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 which is treated as FIR. is attached 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 as per order of Superior Shri Moksedu Rahman (W.B.P.S.) requested investigation / refused investigation / transferred to P.S. ACP(SB), SPC, Add. Charge ACP ICP (Fulbari) etc. 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 is on the written complaint.

15. Date & Time of despatch to the court 29.03.2025 Date 17/04/25

DR No. - Bhaktinagar Police Station SPC

Signature of the Officer-in-Charge, Police Station SHRI-AMIT ADHIKARY

Name : SHRI-AMIT ADHIKARY

Rank : No. PLC-BHAKTINAGARRR SPC.

Dated: 16.04.2025

To,  
The Officer-in-Charge,  
Bhaktinagar Police Station,  
P.O. Bhaktinagar,  
District Jalpaiguri,  
Pin-723 007.  
Sir,

Sub: Complaint under Section 3(1), (g) & (p) of the SCs and STs (POA) Act, 1989 read with the Rules and Guidelines to Police Officers Investigating Cases under SC/ST (POA) Act, 1989 & PCR, Act, 1955 framed thereunder.

Name and particulars of accused person: Sri Sarju Sharma, son of Late Jagadish Prasad Sharma, aged about 49 years, residing at Shastri Nagar, Iskon Mandir Road, Near Shishu Mangal High School, Ward No.41 of Siliguri Municipal Corporation, P.O. Sevoke Road, P.S. Bhaktinagar, District Jalpaiguri, Mobile No.96094 18363.

Description of land in question:

All That piece and parcel of land measuring about 1.022 acres comprised in R.S. Khatian No.343, L.R. Khatian No.178 corresponding to R.S. Plot No.383, L.R. Plot No.48/106 in Sheet No.8, L.R. Sheet No.17, Mouza Dabgram, Police Station-Bhaktinagar, District Jalpaiguri, butted and bounded as follows:-

On the North:	Land of Dombor Bahadur Giri & Others;
On the South:	Land of Dombor Bahadur Giri & Others;
On the East:	100 ft. wide Sevoke Road;
On the West:	Land of Dombor Bahadur Giri.

Name and particulars of complainant:

- 1) Firu Oraon, son of Late Tenta Oraon
- 2) Smt. Lalo @ Loharo Oraon, daughter of Late Tenta Oraon

Both of at 2<sup>nd</sup> Mile, Sevoke Road, P.S. Bhaktinagar, District Jalpaiguri.

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1. This to place on record that the accused abovenamed has illegally and forceful encroached into the above described plot of land of which the complainants abovenamed are Riyati Owners as per the W.B. Land Reforms Act, 1955 having inheritable and transferable interest.



2. The aforesaid fact of ownership has been further confirmed by the final judgment of the Learned WBLRTT at Salt Lake in Kolkata dated 26.04.2024 which has established beyond any doubts whatsoever, that the complainants are owners being Raiyats under the West Bengal Land Reforms Act, with inheritable and transferable rights under the West Bengal Land Reforms Act, 1955.

3. The abovenamed accused person apart from encroaching upon Tribal Land of the complainant has further instituted a false and fabricated Title Suit being No.369 of 2022 on the basis of false and fabricated documents/Deed of Conveyance wherein and whereunder, in the aforesaid Title Suit, the accused abovenamed has made out a false and fabricated case that the aforesaid plot in question was purportedly sold to one Dambor Bahadur Giri, son of one Dharmaraj Giri by way of Registered Deed of Sale being Sale Deed No.I-23 dated 03.01.1959 and allegedly delivered possession by the predecessors-in-interest of the complainants. This is a false statement and tantamount to perjury, with the malicious intent to grab Tribal Land.

4. The above narrative of the accused abovenamed regarding the passage of title unto and in his favour is completely false and fabricated, as everything apart, the accused abovenamed has not and cannot produce the mandatory and statutory permission under Section 14C of Chapter-II of the W.B.L.R. Act, 1955, in favour of the aforesaid Dambor Bahadur Giri which is a mandatory requirement for transfer of aboriginal/tribal land into the name of Non-Tribal. The aforesaid Dambor Bahadur Giri, who so ever he might be; the term "Giri" is associated with Jogi community, a Hindu Community found in North India, and they are also known as "NATH", "JOGI", "YOGI", "Giri", "Goswami", "Nath Yogi", "Dasnami" and people having title Giri or belonging to the community Giri, therefore belongs to the General Category and is not a Scheduled Tribe of India.

5. Therefore, according to his own statements made by the accused abovenamed in his above malicious Title Suit filed before the Court of the Learned Civil Judge (Jr. Div.) at Jalpaiguri, being T.S. No.369 of 2022, there is evidently no proper passage of title or any passage of title from the predecessors-in-interest of the complainant unto and in favour of the accused abovenamed through the aforesaid Dambor Bahadur Giri and as a result the accused abovenamed is guilty of instituting false, malicious suit or other legal proceedings against the complainants, who are Scheduled Tribes of India; **which is punishable u/s 3(1)(p) of the SCs and STs (POA) Act, 1989**, apart from being guilty of wrongfully dispossessing the complainants from their own land and interfering with the enjoyment of the rights of the complainants to enjoy their land; **which is punishable u/s 3(1)(g) of the aforesaid Act of 1989.**

6. After institution of the aforesaid Title Suit being No.369 of 2022, the accused abovenamed obtained an ex-parte ad-interim order from the Ld. Court dated 16.08.2022 wherein and whereunder the Ld. Court ***"directed to maintain status Quo over the suit property in respect of the nature, character and possession of the same as on day till 16.09.2022"***.



7. Recently in the last date - 23-03-2025 the accused abovenamed has started illegal construction in the abovementioned land, by employing his men and agents. therefore the above actions of the accused abovenamed tantamount to violation of the above order of **status quo** dated 16.08.2022 which has been extended time to time and till date by the Ld. Court at the instance of the accused abovenamed. **Therefore it is evident that the accused abovenamed is not only guilty of grabbing tribal land but at the same time is now violating the solemn order dated 16.08.2022 which he himself obtained from the Ld. Court, as morefully explained above.** Therefore the accused abovenamed is liable to be apprehended immediately both under the provisions of the aforesaid Act of 1989 as well as for violation of the order of **status quo** passed by the Ld. Civil Court.

8. You are requested to please treat the instant letter as complaint, lodge FIR against the accused abovenamed and his men and agents who have been deployed by the accused abovenamed for illegally encroaching upon the and/or trespassing into the abovementioned land of the complainants and conduct investigation through the appointment of designated Police Official and submit Charge-Sheet before the Designated Criminal Court within the stipulated time as also apprehend the accused in accordance with the provisions under the SCs and STs (POA) Act, 1989 and the Rules framed thereunder read with the Guidelines referred to above and take all further necessary action with immediate effect so as to safeguard and protect the Constitutional and legal rights of the complainants being the member of the Scheduled Tribes of India.

Thanking you,

Yours faithfully,

*Laharu Oraon*

(Laharu Oraon)

Constitutional Power-  
of-Attorney holder of  
Firu Oraon & Lalo Oraon

N.B.: - All communications may please be sent directly to the address mentioned hereunder:

Sri Laharu Oraon, residing at Dakshin Palash, P.O. Champasari, P.S. Pradhannagar, District Darjeeling - 734 003.

M: 90467 37582

Received on 16.04.2025 at 2225 hrs Vide  
G1ENo- 335/25 dt: 16.04.2025 and start  
Bhaktinagar PO case No- 335/25 dt: 16.04.2025  
u/s- 3(1), (g) (P) of schedule cont and Schedule  
Tribe (POA) Act, 1989 and as per order of Superior  
~~and~~ Shri Mokasodur Rahaman, (W.B.P.S.),  
A CP (SIB), EPC, Holding Add. charge 2cp, Fulbari  
SPC requested to investigate the case.

16.04.25  
Shaktinagar Police Station  
Siliguri Police Commissionerate