



Dist. S.P.C. P.S. Bhaktinagar Year 2023 FIR No. 480/25 Date 26/05/25
 2. i) Act 2023 Sections 316(2)/318(4)/351(2) ii) Act _____ Sections _____

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

3. (a) Occurrence of offence : Day _____ Date From 16/04/23 Date To 10/03/25

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 26/05/25 Time 14:25 hrs

(c) General Diary Reference : Entry No (s) 1348 Time 14:25 hrs

4. Type of Information Const Complaint v/d M.P. on 14-90/25 Written / Oral _____

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

(b) Address Office Bmises NO. 5-4, 2nd Floor, Milestone Building, 2nd Mile Chok post, opp. Bhaktinagar, PS, Sanku Road

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

Name of the P.S. _____ District _____

6. Complainant / Informant :

(a) Name Pratik Choudhary

(b) Father's / Husband's Name Mr. Chetan Choudhary

(c) Date / Year of Birth _____ (d) Nationality Indian

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

(f) Occupation _____

(g) Address Flat NO. 404, Monarch Building, 4th Floor, Pintel Village, Gyan Gyan Jyoti More, Durgam, Dist Durgam

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

(Attach separate sheet, if necessary) :

1. Dileep Kumar Agarwal S/o Mr. Sitaram Agarwal of Chub Town Apartments, Flat no - D-203, Suroku Road, Jyoti Nagar w/no- 41, PO Siliguri, PS Bhaktinagar, Dist. Jalpaiguri

8. Reasons for delay in reporting by the Complainant / Informant

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 const complaint which is treated as FIR is 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 SI Lakshay Bhunia 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 is on the complaint

15. Date & Time of despatch to the court :

Inspector In Charge
 Bhaktinagar Police Station
 Signature of the Officer in Charge, Police Station
 Name Shri Amit Adhikary
 Rank : No. IC Bhaktinagar PS
S.P.C.



863/25

Filed by
Pritam Das
Advocate
8101523423

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

MISC. PETITION NO.

90/25 OF 2025

IN THE MATTER OF:-

An application Under Section **175(3)** of
the Bharatiya Nagarik Suraksha Sanhita,
2023.

IN THE MATTER OF:-

SRI SUNIL CHAUDHARY,

S/o Late Chetan Chaudhary,
Flat No. 404, Monarch Building, 4th Floor,
Pintel Village, Near Gyan Jyoti More,
Dagapur, Dist: Darjeeling, West Bengal, Pin
Code: 734003

LAWFUL CONSTITUTED ATTORNEY OF:

SMT. SHIVANI VERMA,

W/o Sri Sunil Chaudhary, permanent
resident of 1/8 Laxmi Ratan Colony, Lajpat
Nagar, Hans Nagar, Kanpur, Uttar Pradesh,
Pin Code: 208005.

...Complainant.

Vs.

SRI DILIP KUMAR AGARWAL,

S/o Late Sitaram Agarwal,
Club Town Apartments, Flat No. D-203,
Sevoke Road, Jyoti Nagar, Ward No. 41,
P.O: Siliguri & P.S Bhaktinagar, Dist:
Darjeeling, West Bengal, Pin Code:
734001





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Filed by -

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Adv.

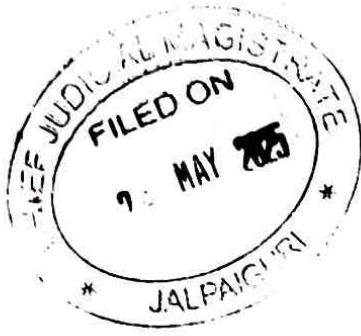
Offence Committed – Under Section – Sec- 316(2), 318 and 351 of the
Bharatiya Nyay Sanhita, 2023

The humble petition on behalf of the
above-named complainant.

Most Respectfully Sheweth :-

1. That the Complainant is the peace loving and law abiding citizen of India having his permanent place of residence Flat No. 404, Monarch Building, 4th Floor, Pintel Village, Near Gyan Jyoti More, Dagapur, Dist: Darjeeling, West Bengal, Pin Code: 734003.
2. That the complainant is the lawful constituted attorney of SMT. SHIVANI VERMA, W/o Sri Sunil Chaudhary, the proprietor of "Brilliant Coaching" with its business address at 2nd Floor, Milestone Building, 2.5 Mile, Check Post, Sevoke Road, Under Ward No. 42 of Siliguri Municipal Corporation (SMC), P.S: Bhaktinagar, Dist: Jalpaiguri, West Bengal.
3. That the complainant's wife was in search of a commercial space for running of a coaching center and the accused person offered to let out the same being Office Premises No. S-4 about 1500 sq ft. on the Second Floor of the building named "MILESTONE" situated at 2nd Mile, Checkpost, Opposite Bhaktinagar Police Station, Sevoke Rd, P.S: Bhaktinagar, Dist: Jalpaiguri, West Bengal 734001 Subsequently the complainant's wife accepted the proposal and occupied the same on 16th April 2023.
4. That the monthly rent was agreed at Rs. 57,000 (Rupees Fifty-Seven Thousand Only). Additionally, the complainant paid Rs. 1,14,000 (Rupees One Lakh Fourteen Thousand Only) as a refundable security deposit, equivalent to two months' rent.
5. That based on the accused person's assurances and the mutual agreement to rent and occupy the premises, the complainant invested Rs. 30,00,000 (Rupees Thirty Lakh Only) in interior works to make the

NOTARY
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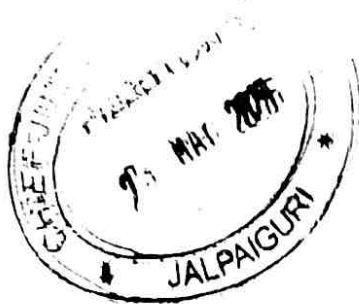
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10. That on 08.02.2025, the complainant made a written complaint before the Inspector-in-charge, Bhaktinagar Police Station informing them that the accused i.e Dilip Kumar Agarwal was trying to change the lock and replace it with their lock with an intention to lock all our property like ACs, furniture, electronics, etc. Dilip Kumar Agarwal made the complainant invest money and assets into the premises and thereby take possession of everything. But the police authorities failed to take action.
11. That subsequently, the complainant made another written complaint before the Commissioner of Police, Siliguri Police Commissionerate on 04.03.2025 but no action was still taken.
12. That when the complainant tried to shift some of his property like furniture to another location for teaching purposes, the accused person through his men and agents again obstructed the complainant.
13. That again on 10.03.2025, the complainant was trying to enter into the premises but was obstructed by the accused person and the complainant saw that the accused had locked the premises along with his properties like ACs, furniture, electronics, etc. That the accused person does not have any right to wrongfully detain the complainant's property. That the complainant has been cheated to the tune of Rs. 30,00,000/- by the accused person and the accused person got his premises interior work done at the expense of the complainant. The Accused person further locked the property of the complainant and is obstructing the complainant from access of the same.
14. That the accused person is a powerful and influential builder in the locality and hence is using his influence and finding no other alternative, the complainant has moved this Ld. Court.



Under the above circumstances it is therefore prayed that your Honour would be graciously pleased to order/orders for directing the



Delivered

Filed by -

Pratim Barua
Adv.

premises suitable for its intended commercial purpose, namely, operating a coaching center i.e "Brilliant Coaching".

6. That the accused person had represented to the complainant that the building in which the tenanted premises is situated is compliant with all necessary licenses and certificates like building and fire safety license as mandated by law and only on his assurance the complainant's wife occupied the premises and spent a hefty sum of Rs. 30,00,000 (Rupees Thirty Lakh Only) in interior works. Additionally, the accused person had agreed to enter into a registered deed of lease for a period of 36 months but he kept delaying that too and to date never entered into a written agreement.
7. That the complainant dutifully paid the rent to the accused person as was agreed upon i.e Rs. 57,000/- per month for over 5 months subsequently and kept on insisting the accused person on providing the fire safety certificate and written agreement. More specifically the complainant notified the accused person through WhatsApp on 19th January 2024 that fire certificate was required for running of the coaching center. But the accused could not supply the same as he had made a false promise only to cheat the complainant from the very inception.
8. That despite numerous reminders and the timely payment of rent for over 5 months the accused person disregarded the complainant's requests. Consequently, the complainant was compelled to pause operations at the coaching center due to non-compliance with fire safety standards, considering the safety of children. Subsequently, the complainant sent a legal notice to the accused person on 30.05.2024 to supply copy of fire safety compliance/license amongst other things but no reasonable response was received.

9. That the accused person himself and also through his men and agents subsequently started to threaten the complainant to evict the premises



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12/12/25

register the aforesaid complaint as F.I.R. immediately under section 175(3) of BNSS and investigate the matter and report to the Ld. Court at the earliest and or may pass such other order or orders as it may deem fit and proper for the ends of justice..

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

Dated, Jalpaiguri,
11.03.2025

Received on 26/05/25 at 14:25 hrs with
GDE NO- 1348 and started Bhaktinagar
PS Case NO- 480/25 Dtd- 26/05/25
316 (2) / 318 (4) / 351 (2) BNS, 2023 and
enclosed to SI Lakshay Bhutia for its
investigation.

[Signature]
26.05.25
Inspector-In-Charge
Bhaktinagar Police Station
Jalpaiguri Police Commissionerate

