

FIRST INFORMATION REPORT

(Under Section 454 Cr.P.C.)

173 BN SS

Darjeeling
BNS

P.S. Bagdogra Year 2025 FIR No. 245/25 Date 13.07.25

Sections 316(2)/318(4) ii) Act Sections

Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day 01.07.25 Date To

Time Period Time From Time To

(b) Information received at P.S. Date 13.07.25 Time 18:15 hrs

(c) General Diary Reference : Entry No(s) 591 Time 18:15 hrs

4. Type of Information : Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 09 km South Beat No.

(b) Address : Surya Nagar, Dumriguri, P.S.-Bagdogra, Dist-

Darjeeling.

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

Name of the P.S. District

6. Complainant / Informant :

(a) Name Asila khatoon Mahammad (9832340680)

(b) Father's / Husband's Name Sajad sha

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

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

(f) Occupation

(g) Address Surya Nagar, Dumriguri, P.S.-Bagdogra, Dist-

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

(Attach separate sheet, if necessary) : ① Md Arif @ Aniph Humain, s/o- Pan Moham-

med ② Md Saif Humain, s/o- md chainuddin ③ Md Sakir, s/o-

md Parir of Geonati, P.O-Koimaro P.S. Pothiya, Dist-Kishanganj,

Bihar ④ Md Samir, s/o- md Saidul n/o Railway colony, P.S.-

Bagdogra, Dist-Darjeeling.

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 Nil

12. FIR Contents (Attach separate sheets, if required) : the original written complaint which is treated as FIR is enclosed here with.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case

up the investigation / directed ASP Amit Mallick of Bagdogra P.S. Officer-in-charge

investigation / refused investigation / transferred to P.S. Bagdogra P.S. S/G on point of

jurisdiction. FIR read over to the Complain/ Informant, admitted to be correctly recorded and a copy given to the Complainant /

Informant free of cost.

on the original
written complaint

14. Signature / Thumb impression

of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Name ST Prithu Saha

Rank : No. 1/10 Siliguri Metropolitan Police

15. Date & Time of despatch to the court :



[LTI of Asila Khatun
Mahammad]

To
The Officer-in-Charge,
Bagdogra Police Station,
P.O. & P.S. - Bagdogra,
District - Darjeeling,
West Bengal - 734014.

Received on
13.07.25

At 18:15

Subject: Urgent Prayer for Registration of FIR

In vide GDE

No 591,

Respected Sir,

started BDR

P.S. on NO

245/25 DT

13.07.25

U/S 316(2)/

318(A) BNS

endorsed to

ASI Amit

Mallick of

Bagdogra for

its

investigation.

13/07/2025

Officer-in-charge
Bagdogra P.S., SLC
Siliguri Metropolitan Police

I, Asila Khatun Mahammad, wife of Md Sajad Sha, aged about 48 years, resident of Surya Nagar Dumriguri, Bagdogra, Dakshin Bagdogra, Darjeeling, West Bengal Pin 734014, am constrained to approach you with this written complaint seeking immediate registration of a cognizable offence against three persons who have dishonestly taken possession of my JCB machine and have wrongfully withheld it, causing me severe loss and irreparable hardship.

1. That In the year 2019, My husband Md Sajad Sha purchased a JCB Machine JCB BACKHOE LOADER, 3DX- SUPER BHL, Registration No. WB73F4343 Engine No.: H00223562, Chassis No.: HAR3DXSUL02719263 under a finance agreement in my HUSBAND'S name Md Sajad Sha s/o Md Israil resident of Surya Nagar Dumriguri, Bagdogra, Dakshin Bagdogra, Darjeeling, West Bengal Pin 734014 for the purpose of using it commercially and earning regular income for my household.
2. That being of limited education and experience in machinery operations, in the year of 2019 my husband entered into an arrangement with persons - 1) Md Arif @ Arif Hussain S/o Pan Mohammad 2) Md Sarif Hussain s/o Md. Chainuddin 3) Md Sakir S/o Md Pasir All resident of Georaloti, P.O. Koimoro, P.S. Pothiya, Dist.- Kishanganj, Bihar, Pin- 855117 who was accompanied by one known person to my Husband 4) Md. Samir, S/o Md. Sajdul resident of Railway colony, P.O & P.S - Bagdogra, Dist.- Darjeeling - wherein they were authorized to use the JCB for commercial work. It was mutually agreed that they would pay a fixed monthly rental amount in exchange for its use after executing authorization agreement.

[29/07/2020] ASIL
Khatun Mahmood

3. That For a few months, the arrangement worked and we received the agreed rental payments. However, over time, on 22/06/2020 the accused began delaying and withholding payments telling me that he got accident and I left with no choice as I am an illiterate woman with medically ill husband I was completely taking care of my husband. On again 22/08/2020 again I contact them but they said that they are busy will talk later and so on they kept on the withholding payments without justification, despite regular usage of the machine and earnings from it but I was in trauma because my husband was completely bedridden. Also in 25/05/2021 I Again called them but they started giving excuse of Covid and I somehow managed to control the situation as I Trusted Md. Samir ,S/o Md. Saidul resident of Railway colony, P.O & P.S - Bagdogra, Dist.-Darjeeling because my husband and my family known him since long and he has also a meat shop at Airport more due to which I could not do anything as my husband had full faith on him.
4. That despite repeated requests and reminders, they intentionally defaulted and stopped making payments altogether. Now, for the past several weeks i.e from 01/07/2025 the accused persons have been untraceable, are not responding to calls or messages, and have absconded from this area without informing my husband, taking the JCB machine with them.
5. That upon inquiries, I came to know that they have fled to another state with the vehicle and are continuing to use it for their own profit, without any authority, in total violation of the agreement and my trust.
6. That the accused persons were never the owners of the JCB machine. They were only entrusted with possession and use of the machine on the express condition of regular rental payments. Their refusal to return the machine and non-payment of dues clearly shows their mala fide intention.
7. That their absconding behaviour, failure to communicate, and continued unauthorized possession of the vehicle make it evident that their actions were fraudulent, dishonest, and pre-planned, intended to cheat and exploit my husband for wrongful gain.
8. That as a law-abiding citizen with no other means of livelihood, this betrayal has caused me and my husband grave mental, emotional, and financial suffering. The wrongful detention and illegal usage of my machine by the accused is not only criminal in nature, but is also causing me ongoing losses every single day.

9. That I would also like to submit that my husband is suffering from a serious **neurological condition a cerebellum infarct and is currently bedridden**. I am his sole caretaker, and our family's survival and his treatment entirely depended on the rental income from the said machine. The accused persons' deceit has jeopardized his ongoing medical care, and pushed our family to the brink of collapse.


10. That the stress, anxiety, and financial loss caused by their betrayal is beyond description. This is not merely a civil breach but a deliberate, dishonest, and cruel act of exploitation, especially targeting a vulnerable woman in distress

In light of the above, I respectfully request you to Register an FIR under appropriate sections of the BNS against 1) **Md Arif @ Arip Hussain** S/o Pan Mohammad 2) **Md Sarif Hussain** s/o Md. Chainuddin 3) **Md Sakir** S/o Md Pasir All resident of Georaloti, P.O- Koimoro, P.S. Pothiya, Dist.- Kishanganj, Bihar, Pin- 855117 4) **Md. Samir** ,S/o Md. Saidul resident of Railway colony, P.O & P.S - Bagdogra, Dist.-Darjeeling and Trace and recover the JCB machine, currently under their illegal possession immediately to prevent further misuse or unlawful transfer and also Initiate strict legal action against the accused for their fraudulent and criminal conduct

Sir, I am in urgent need of your intervention. This is a clear case of economic exploitation and criminal deception, and I humbly pray that you will take necessary action to secure justice and restore my rights.

Thanking you,

Yours faithfully,

 *Asila Khatun*
Asila Khatun Mahammad
Mobile No. 9832340680
Surya Nagar Dumriguri, Bagdogra,
Dakshin Bagdogra, Darjeeling,
West Bengal Pin 734014,
Date: 13/07/2025

Enclosures:-

1. Xerox Invoice of Tax of JCB.
2. Xerox copy of Medical Certificates
3. Authorisation Xerox.
- 4) Photographs of Accused (1), (2) & (3).