

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

378



P.S. Bhaktinagar Year 2025 FIR No. 763/25 Date 02/08/25
 Sections 406/420/34 i) Act - Sections -
 Sections - iv) Others Acts & Sections -

3. (a) Occurrence of offence : Day 15/03/2017 Date From 27/12/2021
 Time Period - Time From - Time To -

(b) Information received at P.S. Date 02/08/25 Time 21:15 hrs

(c) General Diary Reference : Entry No (s) 106 Time 21:15 hrs

4. Type of Information Written (typed) Written / Oral -

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

(b) Address Jam Brothers warehouse located at Eastern Bypass Road, Siliguri

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

Name of the P.S. - District -

6. Complainant / Informant :

(a) Name Mangj Somani

(b) Father's / Husband's Name -

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

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

(f) Occupation Monkehing Head of Jam Brothers

(g) Address Eastern Bypass Road, Siliguri Dist. Jharkhand

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

(Attach separate sheet, if necessary) :

① Syjit Bhuvan Tiwari S/O Lt. Bhuvan Ramnayan Tiwari

② Asha Syjit Tiwari w/o Syjit Bhuvan Tiwari of Flat no. 204

Rajmangal Tower, Mulund

Link Road, Goregaon East,

Mumbai - 400063, Maharashtra

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :

① Rs 43,46,552/- (Rupees Forty Three Lakhs, Forty

Six Thousand Five Hundred Fifty Two)

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 typed 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 Amit Sankar of Bhaktinagar 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 SI Amit Sankar
 Name SI Amit Sankar
 Rank SI Bhaktinagar
SI, SPC.

Date: 30/07/2025

To,
The Officer-in-Charge,
Ashighar Out-Post,
Under Bhaktinagar Police Station,
District – Jalpaiguri,
West Bengal.

SUB: WRITTEN COMPLAINT

Dear Sir,

I the undersigned being duly authorized on behalf of the partnership firm working under the name and style "Jain Brothers" having our warehouse at Eastern Bypass Road, Siliguri, District-Jalpaiguri, PIN- 734001, West Bengal would like to inform your good office that our firm is a well-known and reputed business entity dealing in various varieties of papers such as copier paper, writing and printing paper, packaging boards, art paper, kraft paper, tissue paper among other akin products since the last 4 (four) decades catering to the entire North Bengal region, Sikkim, Assam having also expanded our business among neighbouring nations viz. Nepal and Bhutan.

In the month of March, 2017 a partnership firm namely "**M/S. Commercial Industries**" having its place of business at 85/94, Commercial Industries, Nalagarh Road, Gurumajra, Solan, Post Office- Gurumajra, Police Station- Baddi, District- Solan, PIN- 174101, Himachal Pradesh and godown/ warehouse at Khudiram Pally, Baneshwar More, 1/676 Eastern By Pass, District-Jalpaiguri, Sevoke Road, Siliguri, PIN- 734002, West Bengal dealing in the manufacturing business of mono cartons, pharmaceutical boxes, packing containers and other allied articles having its GSTIN- 02AAEFC8390D2ZQ approached our firm through its partners namely **Sri Sujit Bhushan Tiwari** (93240-07505), Son of Late Bhushan Ramayan Tiwari and **Smt. Asha Sujit Tiwari**, Wife of Sri Sujit Bhushan Tiwari both residents of Flat No.204, Rajnigandha Tower, Mulund Link Road, Gokuldham, Goregaon East, Mumbai, PIN- 400063, Maharashtra at our office and showed their eagerness to purchase certain products from our firm on credit and assured that there would be no payment related issues whatsoever. Accordingly, believing on their false promise and assurance our firm supplied the required materials as per their requirement at their referred workplace/business place at both Solan, Himachal Pradesh as well as

Siliguri and they duly accepted the same. At the time of delivery, our firm issued them respective Tax Invoices/ bills according to the quantity of materials duly sent by us.

Therefore, within the period of 15.03.2017 to 27.12.2021 goods worth Rs.1,37,50,747/- (Rupees One Core Thirty Seven Lakhs Fifty Thousand Seven Hundred Forty Seven) only was provided to them and thereafter there remained an outstanding arrear of Rs.46,71,552/- (Rupees Forty Six Lakhs Seventy One Thousand Five Hundred Fifty Two) only and it was only on 09.09.2022 that they made a further payment of Rs.3,25,000/- (Rupees Three Lakh Twenty Five Thousand) only and as on date there still remains an outstanding amount of Rs.43,46,552/- (Rupees Forty Three Lakhs Forty Six Thousand Five Hundred Fifty Two) only payable by them to our firm.

Hence we billed them a total sum of Rs.1,37,50,747/- (Rupees One Core Thirty Seven Lakhs Fifty Thousand Seven Hundred Forty Seven) only including appropriate taxes/levies but inspite of the delivery of the goods they did not pay the outstanding amount. It appears that they had approached our firm with the sole intention of cheating and thereby putting our firm into wrongful loss. On various occasions, our representatives issued reminders one after the other to clear off all the outstanding dues to them. Furthermore, on 22.05.2023, the aforesaid firm sent a balance confirmation for the financial year 2022-2023 but unfortunately till date they did not bother to pay our outstanding dues. It is pertinent to mention here that we also tried to contact the aforesaid duo over telephone regarding our rightful claim for the payment but they kept silent over the matter thereby confirming the claim and also the fact that they had the very intention to cheat us. They further deliberately avoided taking our phone calls.

Thereafter finding no other alternative, we sent a legal notice dated 18.01.2025 through our advocate to the aforesaid firm i.e. M/s. Commercial Industries, its partners namely Sujit Bhushan Tiwari and Asha Sujit Tiwari. The said notice was duly received by the firm as well as both its partners on 01.02.2025 but the aforesaid culprits kept completely silent over the entire issue and did not even bother to reply to us.

We apprehend that the duo namely Sujit Bhushan Tiwari and Asha Sujit Tiwari in collusion and connivance with each other with malafide intention have hatched a preplanned conspiracy to cheat our firm of our legal dues to the tune of Rs.43,46,552/- (Rupees Forty Three Lakhs Forty Six Thousand Five Hundred Fifty Two) only in order to enrich themselves illegally at our cost.

I therefore on behalf of the firm request you to investigate the matter thoroughly and book the aforesaid culprits namely Sujit Bhushan Tiwari and Asha Sujit Tiwari (Partners of M/S. Commercial Industries) under the appropriate provisions of Criminal Law for the ends of justice and oblige.

-Thanking you.

Regards,

Manoj Soman

Manoj Soman

Marketing Head of Jain Brothers

Contact No. 7477790079

RECEIVED ON 02/08/25 AT 20:25:55.
SIDE ASO OF, SEND. 53 D
FORWARDED TO THE BKN AS.
FOR START A CASE UNDER
PROVIN SEC OF LAW.

[Signature]
02/08/25

Received on 02/08/25 at 21:15 hrs
side GDE NO-106 and reported
Bhaktinagar AS Case NO-703/25
Dtd- 02/08/25 v/b 406/420/34 JPC
and endorsed to ASI Amit Sankar
for its investigation.

[Signature]
Inspector in Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate