



1. Dist. Bhaktinagar P.S. Bhaktinagar Year 2026 FIR No. 73/26 Date 27.01.2026
2. Sections 376(2)/(318(4))/(329(4))/(147(2))/(351(2))/(3(X))

3. (a) Occurrence of offence : Day _____ Date From October 2024 Date To 20.01.2026
Time Period _____ Time From On 20.01.2026 at 01:00 hrs Time To _____

(b) Information received at P.S. Date 27.01.2026 Time 01:40 hrs

(c) General Diary Reference : Entry No (s) 1191 Time 01:40 hrs

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

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

(b) Address Sikkim Logistics Service situated at Near Maa Shakti Mata, Raj Colony More, P.S. Bhaktinagar, Dist. Jalpaiguri.

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

6. Complainant / Informant :

(a) Name BARUN KUMAR TAR TIWARI

(b) Father's / Husband's Name Madan Tiwari

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

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

(f) Occupation _____

(g) Address Bhaktinagar word NO 42, PO Salugana, P.S. Bhaktinagar

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

(Attach separate sheet, if necessary):
① Shiva Kumar Thapa, do Sri Kamal Thapa of Kingdom leaship, South Sikkim.
② wife of Shiva Kumar Thapa. ③ Milhun Das and others.

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

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

An Hyundai Hydraulic Excavator R 215 L Serial N635 002121 with Rock Breaker S.B. 81.

10. Total value of properties stolen / involved ₹ 21,50,000/- (Rupees twenty one lakh & fifty thousand only)

11. Inquest Report / U.D. Case No. If any _____

12. FIR Contents (Attach separate sheets, if required): The original FIR 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 SI DHRUBA MISRA to take up investigation / refused investigation / transferred to P.S. _____ on point of jurisdiction. FIR read over to the Complaint / 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 Some complaint.
Signature of the Officer-in-Charge, Police Station Sanjit Kumar Mishra
Name: Sanjit Kumar Mishra
Rank : No. SI C B KR BS / DC

15. Date & Time of despatch to the court :

**TO
THE INSPECTOR IN-CHARGE
BHAKTINAGAR POLICE STATION
SILIGURI POLICE COMMISSIONERATE.**

DATED:- 25/01/2026

SUB: F.I.R.

Respected Sir,

With due respect, I, **SRI BARUN KUMAR TIWARI, Son Of Madan Tiwari**, Resident of Prakash Nagar, Ward No. 42 S.M.C., P.O. Salugara, P.S. Bhaktinagar, District-Jalpaiguri in the State of West Bengal, PIN- 734008, being the manager Sikkim Logistics situated at 2nd Mile, Sevoke Road, P.O. Sevoke Road, P.S. Bhaktinagar, District-Jalpaiguri would like to lodge this Written Complaint to the effect that :-

1. Our Company above named deals in Logistics services and renting other machineries and we had purchased an **HYUNDAI HYDRAULIC EXCAVATOR R 215L Smart - N635D02121** for our business purpose and in the year 2019 and one **SRI SHIVA KUMAR THAPA**, s/o Sri Kamal Thapa, resident of Hingdam, Legship, South Sikkim, PIN-737111 (mobile no. 95938-83058) who is/was having a long acquaintance, expressed his willingness for purchasing the above mentioned Excavator for his business and commercial purpose and the total consideration amount was fixed on Rs. 21,50,000/- (Rupees Twenty One Lakh Fifty Thousand) Only for the sale of the above mentioned **HYUNDAI HYDRAULIC EXCAVATOR R 215L Smart - N635D02121** and he being the Buyer/Purchaser agreed upon the consideration price set forth by the Owner namely Suresh Kumar Sinhal, amounting of Rs. 21,50,000/- (Rupees Twenty One Lakh Fifty Thousand) Only and an **AGREEMENT FOR SALE OF THE EQUIPMENT** was executed on 16.05.2024 and it was Notarized on 17.05.2024 and on 03.06.2024 Rs. 50,000/- (Rupees Fifty Thousand) Only to the Owner namely Suresh Kumar Sinhal and as per the Clause No. 4 of the Agreement it is mentioned that within 10 days from the Execution of the Agreement of Sale of Equipment the amount of Rs. 15,00,000/- (Rupees Fifteen Lakh) only shall be paid to the Owner namely Suresh Kumar Sinhal and Clause No. 4 also contains that the rest outstanding amount of Rs. 6,50,000/- (Rupees Six Lakh Fifty Thousand) Only shall be paid within 15.07.2024.

2. *That as per the agreement in the month of October 2024 he took the delivery of the above mentioned Excavator along With Rock breaker S.B. 81 from Gezing College Khola Road, near Gezing College, West Sikkim and since then he started to use the above mentioned Excavator for his commercial gains and even after taking the delivery from the Owner namely Suresh Kumar Sinhal, he never bothered to pay any outstanding amount even after several/multiple requests.*
3. *That on two different occasions, Rs. 1,00,000/- (Rupees One Lakh) Only on 30.08.2024 and Rs. 1,00,000/- (Rupees One Lakh) Only 20.12.2024, had been transferred to and in favour of the son of the Owner namely Suresh Kumar Sinhal but still there is a huge outstanding in his name amounting of Rs. 19,00,000/- (Rupees Nineteen Lakh) Only + Applicable Tax (GST 18% amounting Rs. 3,87,000/- on total Set Forth Value) + interest and it is to be mentioned here that he, from the date of the Execution of the agreement had intentionally defrauded me for his illegal monetary gain by using the Excavator without any legal and lawful Right and he has violated each and every conditions of the Agreement and has further earned a huge amount of money and monetary gain by using the Excavator illegally without any lawful right.*
4. *That due to long acquaintance, the Owner namely Suresh Kumar Sinhal always kept requesting him to pay the outstanding amount but he never paid any heed to my request and it is to be mentioned here that I being the law abiding citizen never violated the agreement.*
5. *That in the month of December he brought the above mentioned Excavator to Siliguri for servicing and the Owner namely Suresh Kumar Sinhal being the original, actual and registered and actual owner has kept the Excavator without Rock breaker S.B. 81 in his possession by the force of law but Shiva Thapa with a malicious intention threatening the Owner namely Suresh Kumar Sinhal in many ways to implicate the Owner namely Suresh Kumar Sinhal in false criminal cases without any lawful rights and the same incident was informed to the Commissioner of Police of Siliguri Police Commissionerate on 02.01.2026.*
6. *It is to be mentioned here that the above mentioned Shiva Thapa along with his wife and Mithun Das and 4-5 others forcefully entered into the property of Sikkim Logistic Services, Situated at Near Maa Shakti Kata, Roy Colony More at about 01:00 AM at late*

Night 20.01.2026 they were armed with the Khukuri and attacked on the Guard namely Tarun Saha, Son of Late Adhir Chandra Saha and tried to kill him and they forcefully tried to take away the above mentioned equipment without any lawful rights.

7. That our Guard has sustained severe injuries on his body due to the assault and he informed the same incident to me and I call the Police and the Police reached at the spot.

Therefore I kindly request you to initiate a specific case against the wrongdoers and obliged thereby.

Thanking you,

Yours faithfully

Barun Kumar Tiwari

SRI BARUN KUMAR TIWARI

80164-70380

***Enclosure**

i) Copy of information to the Commissioner

ii) Copy of Legal Notice

iii) Copy of medical Prescription

Received on 23/01/2026 at 01:40 hrs, vide BKN BS GDE NO. 1191/26, dtd. 23/01/2026 and started BKN PS case No. 73/26, dtd. 27.01.2026, v/s 316(2)/318(4)/329(4) 117(2)/351(2)/3(5) BNS, 2023 and endorsed to ASI Anurag Misra for its investigation.

[Signature]
27.01.26
Inspector-in-Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate