

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



Dist: Bhaktinagar Year: 2021 FIR No. 1070/21 Date: 14/08/2021

Sections: — (i) Act: IPC Sections: 406/420/403

Sections: — (iv) Others Acts & Sections: —

3. (a) Occurrence of Offence: Day: — Date From: 24/07/2021 Date To: —

Time Period: — Time From: — Time To: —

(b) Information received at P.S. Date: 14/08/2021 Time: 08.05 hr

(c) General Diary Reference: Entry No(s): 795 Time: 08.05 hr

4. Type of Information: — Written / Oral

5. Place of Occurrence: (a) Direction and Distance from P.S. 4 km east Beat No. —

(b) Address: Baneswar more, Iskon mandir Road, PS 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: Sri Kaushal Dugar

(b) Father's / Husband's Name: S/O Sri Kanak Lal Dugar

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

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

(f) Occupation: —

(g) Address: Eastern Bypass Road, Baneswar more, PS Bhaktinagar, Dist: Jalpaiguri

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

(Attach separate sheet, if necessary):

Nitesh Tamang S/O H. Bandy Tamang of J.B. Thapa Road, Near Gyanoday Niketan School, Darjeeling.

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: Rs 1,60,000/-

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 enclosed herewith & produced over leaf

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: S.I. Pradip Kumar Singha to take up investigation / refused investigation / transferred to P.S. Ashghar op. 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.

Noted in original complaint

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station Bhaktinagar 14/08/21

Name: DAWA THERING THARPA

Rank: No. S.I. OF POLICE BKN PS/SPC

15. Date & Time of despatch to the court:

To,
The Inspector-In-charge,
Bhaktinagar Police Station
District-Jalpaiguri.

Date: 12.08.2021

SUB - FIR

Dear Sir,

I, Sri Kausshal Dugar, Son of Sri Kanak Lal Dugar, one of the directors of Teaxpress Private Limited, having it registered office at Plot No.319/9, Eastern Bypass Road, near Baneshwar More, Post Office- Salugara, Police Station- Bhaktinagar, District- Jalpaiguri, PIN-734008, West Bengal would like to lodge this complaint against one of our employee Nitesh Tamang, Son of Late Bandey Tamang, permanent resident of J B Thapa Road, Near Gyanoday Niketan School, 7 Oaks Rose Bank, Darjeeling, West Bengal, PIN-734101 at present residing at Shiv Mandir, Bottle Company Bazar, Sastri Nagar, Ward No.41 of Siliguri Municipal Corporation, Post Office- Siliguri, Police Station- Bhaktinagar, District- Jalpaiguri, PIN- 734001, West Bengal.

Nitesh Tamang was appointed as Jr. Photographer in our company. Nitesh Tamang was provided the latest gadgets, equipments, cameras and world class infrastructure by the company. The terms and conditions of this employment with the Company were detailed in an employment agreement dated 2nd June, 2018. As per the said employment agreement it was agreed that Nitesh Tamang was employed on a full time basis with the company and also Nitesh Tamang will not directly or indirectly engage or be interested in engagement, practice of any business, profession or vacation, including any activity which competes with activities of the Company, or conflicts with the position in the company. It is pertinent to mention here that the employment agreement dated 2nd June, 2018

Page 1 of 3

Received on
14/08/21 at
05-15 hrs with
CIDE No 795
at 14/08/21
or 2 started
Bkn PS Case
No 1070/21
at 14/08/21
U/S 406/420/
403 IPC on
Endorsed the
same to the
Principal
Singer for
the marked

14/08/21
Inspector-Charge
Bhaktinagar Police Station
Siliguri Metropolitan Police

of the Complainant / Informant

5. Date & Time of despatch to the court :

4831 DT. 12.08.21
DR No. 4831
Bhaktinagar Police Station
Siliguri Metropolitan Police

Name : DAWA TSHERING CHIRPA
Rank : No. 51 OF POLICE
BKN PS/SPC

also consists of a Non Disclosure Agreement wherein the employees abide and accept not to disclose any secret or confidential information of the company to any other third party which are the valuable assets of the company and form a part of the intellectual property. It is pertinent to mention here that Nitesh Tamang was provided the latest gadgets, equipments, cameras and world class infrastructure by the company.

On 24.07.2021 we suddenly came to know that Nitesh Tamang without our consent has been dishonestly misappropriating our property (exclusive photographs used by the company and its information) for more than a year. There has been a criminal breach of trust on the part of Nitesh Tamang because since a long time he has been in constant touch with our competitors in the market and has been leaking and stealing our confidential information and our photographs and selling the same for valuable consideration amounting to breach of confidentiality and privacy causing considerable damage to the business of the company. Further Nitesh Tamang for his personal gain had been using our infrastructure but working for our other competitors in the market.

We interrogated him on the same day and thereafter checked his personal mobile phone and his computer and found that he has been sharing our images that he had clicked for the exclusive use of our company during his course of employment, with our competitors. Finally he confessed that he has been working for our competitors too using our infrastructure and gadgets. Since 24.07.2021 Nitesh Tamang has not visited the office. It is pertinent to mention here that while leaving from the office on 24.07.2021 Nitesh Tamang has deleted our thousands of pictures/images from our computer for which we had spent Lakhs of Rupees to capture and procure them. Further Nitesh Tamang was hired and we had sent him on a tour to

Page 2 of 3

of the Complainant / Informant

Date & Time of despatch to the court :

4831 DT. 16/8/21
DR No. 16/8/21
Bhaktinagar Police Station
Siliguri Police Commission

Signature of the Officer in Charge, Police Station

Name : DAWA TSHERING CHSRPA

Rank : No. 51 OF POLICE
BKN PSLSPC

also consists of a Non Disclosure Agreement wherein the employees abide and accept not to disclose any secret or confidential information of the company to any other third

Assam to capture exclusive images which are still in his possession. I also apprehend that Nitesh Tamang is in hold of our confidential information and other photographs which he will utilize for his personal gain as he had access to entire company information and trade secrets along with hundreds of thousands of images on which the company had spent tens of lakhs of rupees. Now we have also come to know that Nitesh Tamang has stolen one of our high end cameras amounting to Rs. 1,60,000/-. I also apprehend that Nitesh Tamang is in hold of our confidential information and other photographs which he will utilize for his personal gain.

I therefore request you to take note of the aforesaid matter and book the culprit Nitesh Tamang in accordance with the appropriate provisions of the Criminal Law.

Thanking you.

Yours' faithfully,

Kausshal Dugar

Kausshal Dugar,
Son of Kanak Lal Dugar
Director of Teaxpress Private Limited,

Registered office at Plot No.319/9,
Eastern Bypass Road,
near Baneshwar More,
Post Office- Salugara,
Police Station- Bhaktinagar,
District- Jalpaiguri,
PIN-734008, West Bengal
Mobile No.- 7362954114

Received on 13.08.21 at 20.45 hrs vide No. 4831
C.D.E. No. 342 dt 13.08.21 and forwarded to
the B.N. PS for starting a specific case.
Understand to S. Pradyot Singh for its
investigation.

Page 3 of 3

13/08/2021
OFFICER IN-CHARGE
ASHIGHAR OUT POST
Under Bhaktinagar P.S.
Sainari Police Commissioner

of the Complainant / Informant

4831 DT. 16/8/21
DR No. 4831
Bhaktinagar Police Station
Sainari Police Commissioner

Signature of the Officer in Charge, Police Station
Bhaktinagar Police Station

Name: DAWA TSHERING HSRPA

Rank: No. SLOF POLICE
BKN PS/SPC

15 Date & Time of despatch to the court: