

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

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1. Dist. Darjeeling P.S. Siliguri Year 2021 FIR No. 1169/21 Date 22/9/2021

2. i) Act IPC Sections 341/325/378/134 Sections 341/325/378/134

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

3. (a) Occurrence of Offence Day _____ Date From 21.08.2021 Date To _____

Time Period _____ Time From 13.30 hr Time To _____

(b) Information received at P.S. Date on 22/9/2021 Time 20.25 hrs

(c) General Diary Reference Entry No(s) 1385 Time 20.25 hrs

4. Type of Information _____ Written / Oral _____

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

(b) Address Shivan Residency, Dwadas Bannerjee Road, Ashwampara, W/NO-14, PS-Siliguri, Dist-Darjeeling

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

6. Complainant / Informant

(a) Name Sri Pranabendu Chowdhury

(b) Father's / Husband's Name Sh. Hari Mohan Chowdhury

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

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

(f) Occupation _____

(g) Address Chayanpara, Ghugmali bazar by lane, PS-Bhaktinagar Dist-Darjeeling

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

(Attach separate sheet, if necessary):

(i) Smt. Lilia Das w/o Sri Pranabendu Chowdhury (D/o Shri Nikhil Das of Mangal Singh Jete, OPP. Primary School, Hatighisha PS-Nayabari Dist-Darjeeling. (ii) Smt. Swarna Paul w/o Sh. Dr. Narayan Choudhary of 42, Hemadul Vihar Phase 1, near Narayan PO + PS - Mithigara, Dist-Darjeeling.

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

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

one Scooter (TVS NTORR) bearing NO-WB-74AU5959.

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 written Complaint of the complainant is treated as FIR which

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 Kana Brahma of Panitaki TOP-II to take up investigation / refused investigation / transferred to P.S. Siliguri 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 _____

Signature of the Officer-in-Charge, Police Station _____

Name Rajin Chhota

Rank: No. SI of Police

15. Date & Time of despatch to the court on 23/9/21 at 10.30 hr

IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE
AT SILIGURI, DIST. DARJEELING

Misc. Petition Case No. 32 of 2021

Pranabendu Chowdhury

..... Petitioner/complainant

-Vs-

1.Lilie Das

2.Swapna Paul

.....O.Ps/Accused Persons

Order dated 16.09.2021

The complainant has filed a petition for complaint and has prayed for passing an order in resonance to Section 156 (3) of the Criminal Procedure Code 1973.

Perused the written complaint, affidavit and documents filed during the course of hearing.

Ld. Lawyer for the complainant vociferously tried to substantiate the point that intervention of the police is necessary and a probe be directed by the police authorities.

Heard. Considered.

Coming to the instant case at hand, the essence of allegations ventilated in the written complaint persuades me to hold that the facts in entire thing are not known to the complainant and it is not in possession of entire evidence. So it appears that necessary custodial interrogation for recovery of scooter or discovery of relevant facts is necessary. In view of the above observation, it appears to the Court that investigation by the Sate machinery is required in this case.

Hence, prayer for initiating investigation as per Section 156(3) of the Criminal Procedure Code, 1973 is hereby allowed.

Accordingly, I am inclined to allow the prayer of the petitioner.

The I/C, Siliguri P.S is hereby specifically directed to register this petition as F.I.R and also directed to cause investigation in this matter and furnished a report by 04.10.2021.

To 04.10.2021 for report from the I/C, Siliguri P.S.

Let a copy of this order along with the original copy of the petition be sent to the I/C, Siliguri P.S for information and taking necessary action as per law.

D&C by me

SH
Addl Chief Judicial Magistrate

ADDL CHIEF JUDICIAL MAGISTRATE
SILIGURI

ACJM/SLG.

DR. NO. 9342 Dt. 22.9.21

INSPECTOR - Office

SLG Court - SPC.

OFFICE OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE

SILIGURI

No. 1301 /ACJM/SLG.

Dated: 20 /09/2021

Copy to : The I/C, Siliguri P.S.

✓
Addl Chief Judicial Magistrate

ADDL CHIEF JUDICIAL MAGISTRATE
SILIGURI



Pranabendu Chowdhury

Filed by :
Sourabha Saha
SOURABHA SAHA,
Advocate



IN THE COURT OF THE LD. ADDITIONAL CHIEF JUDICIAL
MAGISTRATE AT SILIGURI.

MISC.PETITION NO. 32 OF 2021

IN THE MATTER OF:-

An application Under Section 156(3)
of the Criminal Procedure Code.

IN THE MATTER OF :-

SRI PRANABENDU CHOWDHURY,
Son of Late Hari Mohan Chowdhury,
Resident of Chayanpara,
Ghogomali bazar By lane,
Post Office-Ghogomali Bazaar,
Police Station-Bhaktinagar,
District-Jalpaiguri, Pin-734006.
...Complainant.

Vs.

1) SMT LILIE DAS,
Wife of Sri Pranabendu Chowdhury,
Daughter of Sri Nikhil Das, resident
of Mangalsingh jote, Opposite
Primary School, Hatighisha, P.S—
Naxalbari, District-Darjeeling,
Pin-734429.

2) Smt Swapna Paul,
Wife of Late Dr Narayan Chandra
Paul,
Resident of C/2, Himachal Vihar,
Phase 1, Near Uttorayan,
Post Office & Police Station—
Matigara, District-Darjeeling
.....Accused Persons.

The humble petition on behalf of the above named complainant.

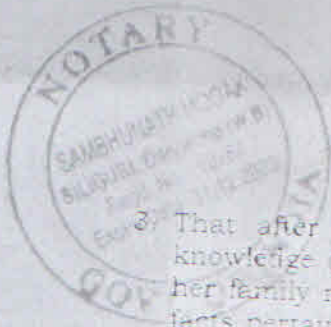
Most Respectfully Sheweth :-

1. That the Complainant is law abiding and peace loving citizen of India and residing within Siliguri Police Commissionerate.
2. That the Complainant got married to the Accused Person No.1 as per Section 13 of Special Marriage Act 1954, before the Marriage Officer namely Sikha Acharjee for Naxalbari P.S area, the said marriage was a negotiated one.

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Received on 22/9/21 at 20.25 hrs.
vide SR PS GDE NO. 1385 DT-22/9/21
forwarded Siliguri PS Case no. 1169/21
DT-22/9/21 w/s 341/325/379/34 JFC
and endorsed to SI Anura Brahma 1)
of Panitanki T.P.S for its investi-
gation.

22/9/21
Solemnly Affirmed & Declared
before me in the presence of
K/10/1/2021
SAMBHUNATH MODAK
Notary Court of India
Darjeeling



Bambendu choudhury

Filed by

Soumabha Saha
SOU-MABHA SAHA
Advocate

3. That after the solemnization of the marriage it came to the knowledge of the Complainant that the Accused Person No.1 and her family members have misrepresented and suppressed various facts pertaining to the marriage the accused person no.1 even did hide that she had a previous marriage and she was divorced later on.
4. That even after knowing the above facts the Complainant and his family members tried their level best to please the accused person no.1 and on each and every stage compromised with her with a wish that everything will get better with time.
5. That right from the inception of the marriage the parents of the Accused Person No.1 tried to separate the Complainant from her aged mother by sending her to an old age home (Briddhashram), that the Complainants mother in law often used to visit the house of the Complainant and used to stay for weeks which led to severe marital dispute between the Complainant and the Accused Person No.1 and the parents of the accused person No.1 tied to instigate the Complainant against his mother but the Accused Person No.1 did not bother about it. The Accused Person No.1 used to beat up the 80 years old mother of the Complainant who is a patient of Parkinsons disease.
6. That on 12.11.2019 a baby boy was born on 12.11.2019 out of the Complainant and his wife's lawful wedlock at Akash Nursing Home, and the Complainant thought that with the birth of the child the marital disputes would be solved rather it got aggravated, subsequently the Complainant did get some proof that the Accused Person No.1 is having an extra marital affair with Mr Prasennjit in the month of March 2020 as a result of which the Accused person No.1 became more aggressive and kept ill-treating me and my mother and she finally filed a case under Section 498A before the I C Bhaktinagar P.S vide Bhaktinagar P.S Case No.711 of 2020 against me , my mother Smt Bithika Choudhury and my elder sister Smt Mousumi Dey, subsequently all of them were granted bail by Ld Chief Judicial Magistrate, Jalpaiguri, later she filed a case under relevant Sections of Protection of Women from Domestic Violence Act 2005 against the Complainant and family members, the accused no.1 tried her level best to put the Complainant and his family members behind the iron bars but she failed.
7. That the Accused Person No.1 used to malign the complainants reputation at public places including the Complainants workplace and tried to assault the Complainant in several places, as a result of the ruckus created by the Accused Person No.1 the Complainant was compelled to leave his job.
8. That on 07.08.2021 the Accused Person No.1 called the Complainant to her house and assaulted him with a batam(log of wood) and used to pressurize me mentally so that I commit suicide.
9. That on 21st August 2021 at about 1:30 P.M the Complainant went to her sisters house situated at Shiyam Residency, Durga Das Bannerjee Road, Ashrampara, Ward No.14 of S.M.C, P.O & P.S-

Solemnly Affirmed & Declared before me as an authentic document on 14/09/2021
SAMBHUSITA GHOSH
Notary (Govt of West Bengal)



Rameshendu Choudhury

Filed by:

Soumashha Saha
SOUHASHA SAHA
ADVOCATE

Siliguri, District-Darjeeling, Pin-734001, the accused No.1 in connivance with Accused No.2 attacked the Complainant with sticks, umbrella and left marks upon the Complainant as a result of which the Complainant was treated at Siliguri District Hospital.

10. That the Accused Person No.1 in connivance with Accused Person No.2 demanded the keys of my scooter (TVS NTORQ) bearing no. WB 74 AU 5959. The Complainant tried to stop the Accused Persons from robbing the scooter but the Accused Persons started vigorous scuffle with the Complainant and threatened the Complainant with false cases and was beaten up badly by them as a result of which the Complainant fled from the spot.
11. That thereafter the Accused persons in connivance and in conspiracy with each other robbed the Complainant's scooter by breaking off the handle lock and the present whereabouts of the scooter is not known to the Complainant and moreover the Complainant fears that some crime may be committed by the Accused Persons using the scooter.
12. That the accused in conspiracy with each other has not only assaulted the Complainant but also has robbed the Complainant's scooter from him of which he is the registered owner and from his lawful possession.
13. That after being treated in the Siliguri District Hospital the Complainant lodged a written Complaint before the O.C Panitanki T.O.P under Siliguri Police Station but the duty officer did not receive the Complaint.
14. Thereafter on 28.08.2021 the Complainant informed the above facts to the Commissioner, Siliguri Metropolitan Police at about 02:10 P.M but even then no specific case was initiated and no efforts were made to recover the robbed scooter.

In the above circumstances your Honour would be graciously pleased to pass necessary order/orders for directing the Inspector In Charge Siliguri Police Station to register the aforesaid complaint as F.I.R. immediately under section 156(3) of Cr.P.C and investigate the matter and report to the Ld. Court within 15 days from the date of filing of this complaint.

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

Dated, Siliguri.
16-09-2021

Solemnly Affirmed & Declared
before me on 16/09/2021
SAKUNTHI MODAK
Notary (Govt. of India)
Siliguri, Darjeeling



1. SRI PRANABENDU CHOWDHURY about 42 years, Son of Late Hari Mohan Choudhury, Chayanpara, Opposite Banti Iron Store, Ghoghomali Bazaar, Post Office-Rabindra Sarani, Police Station-Bhaktinagar, District-Jalpaiguri, Pin-734006, do hereby solemnly affirm and declare as follows

AFFIDAVIT

Solemnly Affirmed Before of my knowledge and rest is my humble submission before this Ld. Court.
 By Pranabendu Chowdhury
 of Bhaktinagar
 Identified by Sumantra Saha
 on this the 16th day of (Sep 2021)

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16/9/21

Solemnly Affirmed & Declared
 before me on this the 16th day of 2021
SAMANTH NATH MODAK
 Notary (Govt. of India)
 Siliguri, Jalpaiguri

And I sign and swear this affidavit on this the 16th day of September 2021 at Siliguri.

Pranabendu Chowdhury

Deponent

Identified by me-
Sumantra Saha
 Advocate, Siliguri.



Filed by :

Soumabha Saha
SOUABIHA SAHA
Advocate

IN THE COURT OF LD A.C.J.M AT SILIGURI

MISC PETITION NO. 32 of 2021

SRI PRANABENDU CHOUDHURY

... Complainant

Vs

SMT LILIE DAS & ANOTHER

..Accused Persons

LIST OF DOCUMENTS FILED BY THE COMPLAINANT

1. Copy of Written Complainant to the O.C Panitanki T.O.P dated 21.08.2021.
2. Copy of information under Section 154(3) to the Commissioner, Siliguri Metropolitan Police dated 28.08.2021.
3. Copy of medical certificate issued by Siliguri District Hospital dated 21.08.2021,
4. Copy of Registration Certificate of the robbed vehicle being No.WB 74 AU 5959 (TVS NTOBQ).