



1 Dist. Spc P.S. Mahgara Year 2021 FIR No. 117/21 Date 01/10/2021
2 Act IPC Sections 448/341/323/326/307/506/34 Act Sections
3 Occurrence Offence : Day _____ Date From 06.09.2021 Date To _____
Time _____ Time From 06.00PM Time To _____

(b) Information received at P.S. Date 01.10.2021 Time 22.05 hrs
(c) General Diary Reference : Entry No(s) 54 Time 22.05 hr.
4 Type of Information : _____ Written / Oral (Cont Complain)
1 km North

5 Place of Occurrence : (a) Direction and Distance from P.S. _____ Beat No. _____
(b) Address Near Railgate Biswas Colony
PS. Mahgara Dist. Darjeeling
(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District _____

6 Complainant / Informant :
(a) Name MD Kasim
(b) Father's / Husband's Name LT Saimuddin @ MD Munir
(c) Date / Year of Birth _____ (d) Nationality India
(e) Passport No. _____ X Date of Issue _____ X Place of Issue _____ X
(f) Occupation _____
(g) Address Near Railway Gate Biswas Colony PO. PS Mahgara/Dje.

7 Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :
1) Kaspara Begum MD Akhtar
Di ") Akhtar Di s/o md kasim
both are near Railway
gate Biswas Colony PS.
Mahgara/Dje.

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 _____
11. Inquest Report / U.D. Case No., if any _____
12. FIR Contents (Attach separate sheets, if required) : The original written Complain
which is treated as FIR is re-judged

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 PSI MIZZA HUSAIN OF Matigara Police Station
Mahgara PS/Spc Siliguri Police Commissionerate
investigation / refused investigation / transferred to P.S. _____ 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.

14. Signature / Thumb impression _____
of the Complainant / Informant
Noted in original Complain
15. Date & Time of despatch to the court : _____
Signature of the Officer-in-Charge, Police Station _____
Name _____
Rank : No. SI of Police
Mahgara PS) Spc

11/11/2021
Rms → 618/1/2021
30/9/2021

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

Misc. Petition Case No. 34 of 2021

Md. Kashim

..... Petitioner/complainant

-Vs-

1. Karpura Begum

2. Akhtar Ali

.....OP / Accused persons

Order dated 29.09.2021

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.

On perusal of contents of this petition I am of the view that allegations of cognizable offence is ventilated in this petition. I also find that the complainant is not in possession of entire evidence. It is not possible for the complainant to collect all the material evidence on his own. So it appears that necessary custodial interrogation is necessary for discovery of relevant facts. In view of the above observation, it appears to the Court that investigation by the State 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 O/C, Matigara 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 08.10.2021.

To 08.10.2021 for report from the O/C, Matigara P.S.

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

D&C by me

Sd/r

ACJM/SLG.

Sd/r
Addl Chief Judicial Magistrate

Addl. Chief Judicial Magis
SILIGURI

OFFICE OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE

SILIGURI

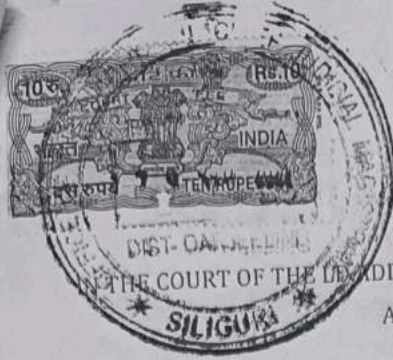
No. 1357 /ACJM/SLG.

Dated: 29 /09/2021

Copy to : The O/C, Matigara P.S.

↓
Addl Chief Judicial Magistrate
ADDL CHIEF JUDICIAL MAGISTRATE
SILIGURI

ISTRATE



M. D. Kasim

FILED BY

Satavisa Basu
SATAVISA BASU
ADVOCATE

Ref: Misc. Petition Case No...34.../2021

In the matter of:

An Application U/S. 156 (3) Of Cr.P.C

AND

In the matter of:

MD. Kasim

S/O. Late Saimuddin @ MD. Munilal,
Resident of, Near Railway Gate,
Biswas Colony, P.O and P.S- Matigara,
Dist- Darjeeling (W.B).

.....Complainant

Versus

1. Karpura Begum

W/O Akhtar Ali,

2. Akhtar Ali

S/O Md. Kashim,

---Both are of near Railway gate, Biswas Colony,

P.O & P.S:- Matigara,

Dist:- Darjeeling (W.B).

..... Accused persons

On 06/09/2021

at about 6 P.M

(In the Evening)

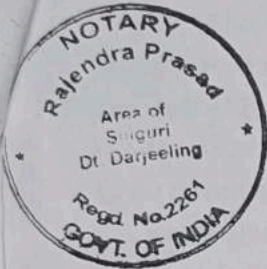
at the house of the Complainant at

Near Railgate, Biswas Colony,

P.O & P.S: Matigara,

District: - Darjeeling (W.B).

Page no. 1 of 4



Received On. 01/10/2021 at
22:05 hrs via G.D. NO 54
Dt 01/10/2021 and started
Matigara PS Case No 1117/21
Dt 01-10-2021 WS 448/341
323/326/307/506/341P
and endorsed to Asst
MIRZA Hossain for its
investigation.

2
01/10/21
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

DATE OF OCCURANCE:

TIME OF OCCURANCE:

PLACE OF THE OCCURANCE:

Solemnly Affirmed & Declared
before me on Identification

Rajendra Prasad

NOTARY
Siliguri

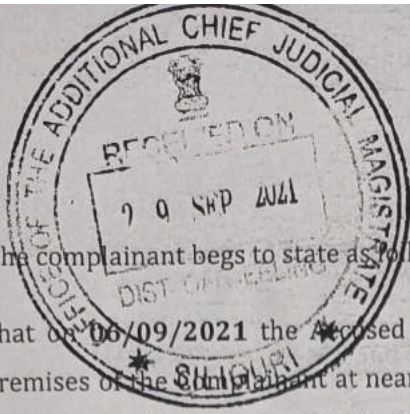
29 SEP 2021

NO. 1118/21

Date

5421

01/10/21



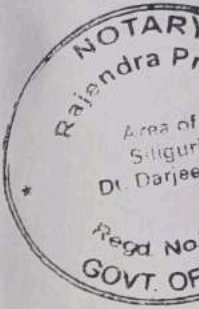
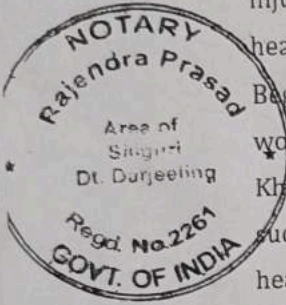
MD Hasn

FILED BY

Sabrina Bar

The complainant begs to state as follows:-

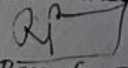
1. That on 06/09/2021 the Accused Persons criminally trespassed in to the house Premises of the Complainant at near Railgate, Biswas Colony, P.O and P.S- Matigara, Dist.- Darjeeling armed with Wooden Batam in their hands and thereafter, both of them did hit on the head of the Complainant by such wooden batam several times with heavy force. Then and then, he fell down on the floor with serious bleeding injuries on his head, and blood was oozing out fountainly and sprayingly from his head injuries and he was then became semi-unconscious. Seeing this his wife Hasnur Begum rushed to the locale to Save him. Then they also assaulted hey by their such wooden batam and at time his Sister-in-law (sister of his wife) namely Mampi Khatun also rushed to the locale (spot) to save them. Then they also assaulted her by such wooden batam. At that time, his wife and her sister started to scream and hearing their such screams neighbouring people came there (at the spot) and seeing them the accused persons decamped from there but before decamping they threatened him by saying that they will evict him and his family members from his said land and house in near hand at all and in any event.



Due to such assault, the complainant received severe bleeding injuries on his head and the major portion of his head was swelled and inflated, and he was tossing in pain at the external and internal side of his head. Then and then, he was taken to the Matigara Block Primary Health Centre in precarious condition where he was medically treated, and medical dressing was done on his head injuries and still he is under the medical treatment.

His forehead, both eyes and both cheeks were in swelling. Several times, he was vomiting. Attending Doctor told that there may be Permanent Privation of the Sight and visual range of eyes and also of the hearing of the ears of the Complainant as he sustained internal injuries in his head also.

Solemnly Affirmed & Declared before me on Identification


Rajendra Prasad
NOTARY
Siliguri

Since then i.e., since after such assault the Complainant has been suffering from tremendous pain on his head, in his eyes and ears.

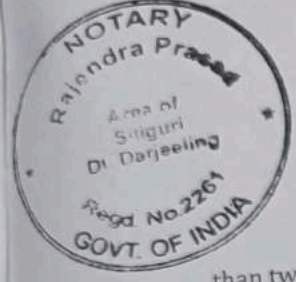
His wife and her sister also received severe in injuries on their respective body persons and they suffered severe bodily pain.

29 SEP 2021



MD Basim

FILED BY
Satabisa Basu
SATAVISA BASU
ADVOCATE



They were being subjected to such severe bodily pain.

The aforesaid assault and heart endangered the complainant.

He suffered more than twenty -days in severe bodily pain.

He (the Complainant) was unable to follow his ordinary Pursuits for more than twenty -days caused for such assault and hurt.

2. That on the Same day i.e., on 06/09/2021, the Complainant lodged a written F.I.R to the O.C, Matigara Police station stating the whole aforesaid incident but the Matigara Police did not take any action against them and refused to register any case against them .
3. That on 14/09/2021, the Complainant sent written complain to the commissioner of Police, Siliguri by Speed Post stating the whole afore-said facts but till to-day no action has been taken against the accused persons by the police yet.
4. That since long the accused persons are trying to evict the complainant and his family members from his land and house forcefully and illegally.

But he (the complainant) strictly and rigidly made strong Protest against their such attempt. So they came to his house and committed the afore-said offences in vendetta and reprisal.

5. That the accused persons entered in to a criminal conspiracy to usurp the land and house of the complainant after murdering him and in pursuance of their such criminal conspiracy they attempted to murder him. They have committed the afore-said offences in furtherance of their common intention.

6. That the accused persons have committed the offences punishable u/s. 448/341/323/326/307/506/34 of IPC.

Solemnly Affirmed & Declared before me on Identification

Rajendra Prasad
Rajendra Prasad
NOTARY

M D ROSIM
FILED
Sakvira

7. That without the assistance of Police by suitable investigation, evidences of the afore-said incident including the injury report of the complainant cannot be collected and the accused persons cannot be apprehended and brought to book.

PRAYER

In view of the facts and circumstances, it is prayed that your Honour may be pleased to direct the O.C, Matigara Police Station to investigate into the offences by treating this petition as an F.I.R for the ends of justice.

And for this act of Kindness, the complainant as in duty

bound shall ever pray.

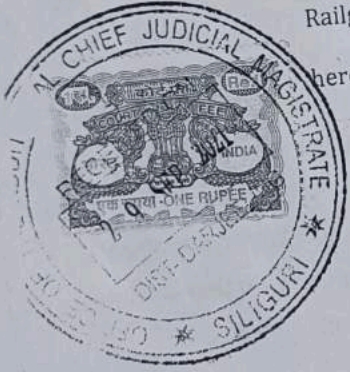


29/9/21

AFFIDAVIT

I, **Md. Kashim**, S/O late Saimuddin @ Md. Munilal, aged about 56 years, Muslim by religion, Rickshaw van puller by Occupation, resident of near Railgate, Biswas Colony, P.O and P.S - Matigara Dist- Darjeeling, (W.B), do

hereby solemnly affirm and declare as follows:-



1. That the statements made in this petition from paragraph nos.1 to 7 are true to the best of my Knowledge and belief and the rest is my humble prayer before the Ld. Court.
2. That I sign this affidavit on this the 29th day of September, 2021 at Siliguri.

AFFIDAVIT
Solemnly Affirmed before me
by _____
On _____
Identified by _____
This the _____ of _____ 20

Solemnly Affirmed & Declared
before me on Identification

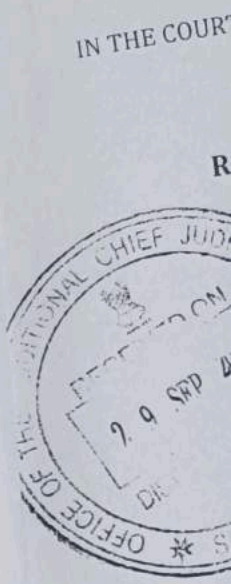
Rajendra Prasad
NOTARY
Siliguri

M D ROSIM

(Declarant)
Identified by me

Sakvira Basm
(Advocate/ Siliguri)

29 SEP 2021.



LIST
CO

MD Kasim

FILED BY
Satabisa Basu
SATAVISA BASU
ADVOCATE

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

Ref: Misc. Petition Case No...../2021



MD. Kasim
.....Complainant

Versus

1. Karpura Begum
2. Akhtar Ali
..... Accused persons

LIST OF DOCUMENTS PRODUCED BY THE ABOVE-NAMED
COMPLAINANT:-

1. One Xerox copy of Aadhar Card of the Complainant.
2. One Xerox copy of F.I.R dated on 06/09/2021
3. One Xerox copy of Medical Paper, dt on. 06/09/2021, issued by Matigara Block Primary Health Centre.
4. Xerox copies of Written Complain, dated on. 14.09.2021 with postal receipt photo copy and tracking report for the same.