

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

1501



1. Dist. Bhaktinagar Year 2021 FIR No. 1434/21 Date 08/11/2021

2. (i) Act. — Sections — (ii) Act. IPC Sections 188 2/w 500

(iii) Act. — Sections — (iv) Others Acts & Sections Sg of the Food Safety and Standards Act, 2006

3. (a) Occurrence of Offence : Day Monday Date From 08/11/21 Date To Act. 2006

Time Period at evening Time From — Time To —

(b) Information received at P.S. Date 08/11/2021 Time 22:25 hr.

(c) General Diary Reference : Entry No(s) 438 Time 22:25 hr

4. Type of Information : — Written / Oral

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

(b) Address Green Escape Apartment Sushr Nagar, PS Bhaktinagar
Dist. Jajpurgar

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

6. Complainant / Informant :

(a) Name ASI Rabin Lama

(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 Police

(g) Address Bhaktinagar, PS ISPC

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :

Rajesh Agarwal (37) S/O Jugat Kishore Gupta of Green escape Apartment, Sushr Nagar, PS Bhaktinagar, J.P.G.

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

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

As per seizure list

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 which is treated as FIR is enclosed on herewith reproduced over leaf.
08/11/21

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 ASI BIMAL SAHA 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 Noted in original complaint
of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station
Inspector in Charge
Bhaktinagar Police Station
08/11/2021

Name : DHWA TSHERING SHERPA

Rank : No. SI OF POLICE
ISKN PSISPC

15. Date & Time of despatch to the court :

0,
THE INSPECTOR-IN-CHARGE,
BHAKTINAGAR POLICE STATION,
SILIGURI POLICE COMMISSIONERATE

Sub:-F.I.R.

Sir,

In producing herewith one arrested accused person namely Rajesh Agarwal-37yrs s/o Jugal Kishor Gupta of Green escape Apartment, Sastrinagar Tiranga more, PS Bhaktinagar Dist Jalpaiguri along with following seized articles viz:-

- (1) One paper cartoon containing 3.200 Kgs of Different type of Gutkha & Pan Masala

In this regard I beg to state that today i.e. 08.11.21 during my mobile van duty at PS area myself along with ASI Dipak Karmakar, Const/374 Debraj Biswas, CVF/614 Sumit Kumar Roy and CVF/935 Biplab Roy all of Bhaktinagar PS had been to Tiranga More Sastrinagar (This refers to Bhaktinagar PS GDE No-428 dated 08.11.21) and found that the above noted person selling banned Gutkha & Panmasla in his street shop style as Rajesh stores thereby violating the Govt of West Bengal order issued by office of the Commissioner of Food safety (Health & Family Welfare Department, Govt of West Bengal) vide order 355/HF/CFS/M-6/2012(pt.II) dated Kolkata 25.10.21 is as here quote "in pursuance of regulation 2,3,4 of the Food safety and standards (prohibition and Restrictions on sales) Regulations 2011 the manufacture, storage, sale or distribution of Gutkha and Panmasala containing tobacco and/or nicotine as ingredients, by whatsoever name it is available in the market, is hereby prohibited for a period of one year with effect from 07th day of November, 2021 in the State of west Bengal, in the interest of public health" Unquote.

When police team reached in the shop of the above noted person at Sastrinagar Tiranga More at about 19.10 hrs found that the person selling banned Gutkha and Pan Masala to the general public after violating Govt order. He is violating the Govt order which was passed with a view to stop the sell Gutkha and Panmasala upon the general public as it is injurious to public health. Accordingly I recovered and seized the above noted articles from his possession after preparing seizure list, labelled it duly signed by the witnesses and acknowledge by the accused persons also arrested Rajesh Agarwal-37yrs s/o Jugal Kishor Gupta of Green escape Apartment, Sastrinagar Tiranga more, PS Bhaktinagar Dist Jalpaiguri u/s 41 Cr.pc after preparing proper arrest memo. Informed Inspector, Food & Safety, (Health & Family Welfare Department, Govt of West Bengal) but he is unable to appear the spot.

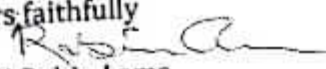
The seizure articles viz:-

- (1) One paper cartoon containing 3.200 Kgs of Different type of Gutkha & Pan Masala marked as Exhibit-A and randomly 06 pouch taken as sample from mother packet marked as Exhibit-A1

Received on 08/11/21 at 22:25 hrs vide GDE NO 438 dt 08/11/21
and started Blam PS case no 1434/21 dt 08/11/21
u/s JPC sec 59 of Food Safety & Standards Act and
enclosed the same to ASI Bimal Saha for it

I therefore pray that a specific case under proper section of law may kindly be started against the arrested person Rajesh Agarwal-37yrs s/o Jugal Kishor Gupta of Green escape Apartment, Sastrinagar Tiranga more, PS Bhaktinagar Dist Jalpaiguri and arrange for its investigation.

Yours faithfully


ASI Rabin Lama
Bhaktinagar PS/SPC

08/11/2021

Enclosed:-

Seizure List with seizure articles
Arrest Memo