

FIRST INFORMATION REPORT

0514

(Under Section 157 of Cr. P.C.)

1. Dist. Darjeeling P.S. Siliguri 2022 FIR No. 164/22 Date 02/02/22

2. (i) Act. IPC Sections 406/420/120B (ii) Ar. Sections

(iii) Act. Sections (iv) Other Acts & Sections

3. [a] Occurrence of Offence : Day Since Jan/2021 Date From Jan/2021 Date To

Time Period mention not Time From mention not Time To

[b] Information received at P.S. Date on 02/02/22 Time 00.15 hrs

[c] General Diary Reference : Entry No. (s) 69 Time 00.15 hrs

4. Type of Information : Written/Oral

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

[b] Address M/s Jyoti Traders at Nehru Road, Khalpara

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 Shree Harri Krishan Agarwal, Prop. of M/s Jyoti

[B] Father's / Husband's Name Traders

[c] Date / Year of Birth [d] Nationality

[e] Passport No. Date of Issue Place of Issue

[f] Occupation

[g] Address Nehru Road, Khalpara, PS - Siliguri, Dist - Darjeeling

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

(Attach separate sheet, if necessary):

(i) Pratim Samyal S/o Gantam Samyal of beside Mitra Nursing Home

Haximpaka, Siliguri, Dist - Darjeeling (ii) Punani Mukherjee S/o

not known (iii) Sipra Mukherjee w/o Punani Mukherjee, Prop. of Samist

Food Co. 71 North Station Rd, Agarpara, Kolkata - 09 and (iv)

Director of Anuruph Biotech Ind. & Pvt. Ltd.

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

Pravat Ranjan S/o not known

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

Rs. 15,00,000/- (Rupees fifteen lacs only)

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 enclosed

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 Asst. Md. Aminul Islam to take up

investigation / refuse 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 of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Date & Time of despatch to the court on 02/02/22 at 10.00 hr

Name Raja Chakraborty

Rank Siliguri Session No.

Date: 01/02/2022

To,  
The Officer-in-Charge,  
Khalpara TOP,  
Siliguri,  
District- Darjeeling

Subject: F.I.R.

Sir,

I, Hari Kishan Agarwal, proprietor of M/S Jyoti Traders, having registered office at Nehru Road, Khalpara, Siliguri, Pin- 734005, would like to inform you that one person namely, Pritam Sanyal, Son of Gautam Sanyal, resident of Beside Mitra Nursing Home, Hakimpara, Siliguri having phone number 9002207261 and 7865972609 (Representative of M/S Sanist Trading Co.) approached me in the month of January, 2021 and persuaded me to take the agency for distribution and supply of food products of MUM's brand of Amrapali Biotech India Private Limited in the entire North Bengal and Sikkim as C&F Agent with Sanist Trading Co. He told me that Amrapali Biotech India Private Limited has a high turnover and taking agency of its MUM's products will be highly profitable as along with the business profits as an agent, I will be additionally provided with a fixed interest on security deposit given at the time of applying as C&F agent and I will also be provided with remuneration. That being induced by his proposal I became interested to be appointed as C&F agent in the entire North Bengal and Sikkim of MUM's brand of Amrapali Biotech India Private Limited. That accordingly, Pritam Sanyal introduced me with Pinaki Mukherjee, having phone no. 8617780213, who told me that he is the Regional Sales Manager of MUM's products and his wife namely, Sipra Mukherjee is the proprietor of Sanist Trading Co., having registered office at 71, North Station Road, Agarpara, Kolkata-700109 and the said firm is authorized by Amrapali Biotech India Pvt. Ltd. for organizing sales and marketing franchiser of MUM's products in whole of West Bengal, Assam, Jharkhand and Odisha. He too induced me about the lucrative profits along with interest amount on security deposits which can be earned through this business on being appointed as C&F agent. He told me that I need to deposit Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) for becoming C&F agent and for that I need to enter into an agreement of clearing and forwarding agent with the company and assured me that he and Pritam Sanyal will proceed with all the necessary formalities in this regard.

Pinaki Mukherjee also gave me the phone number of Prabhat Ranjan i.e. 9313909278 and told me that he is the director of Amrapali Biotech India Pvt. Ltd. That subsequently, in Siliguri Pritam Sanyal handed over to me the said agreement bearing seal and signature of Amrapali Biotech India Pvt. Ltd. and of Sanist Trading Co. and he asked me to put my signature and seal and I accordingly entered into an agreement with them and paid to Sanist Trading Co. Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) as security deposit. That the details of the said payment are as follows:

- a. Rs. 2,00,000/- paid on 11.01.2021, via RTGS, through State Bank of India, Nayabazar Branch, Siliguri;
- b. Rs. 10,00,000/- paid on 29.01.2021, via RTGS, through State Bank of India, Nayabazar Branch, Siliguri;
- c. Rs. 3,00,000/- paid on 29.01.2021, via RTGS, through HDFC Bank, S.F.Road Branch, Siliguri;

That even after receiving the said amount of Rs. 15,00,000/- , Pinaki Mukherjee did not send any goods to me and so I called Pinaki Mukherjee, Pritam Sanyal and Prabhat Ranjan over phone and asked them to send the MUM's products to CFA point at Nehru Road, Khalpara, Siliguri. However, Pinaki Mukherjee, Pritam Sanyal and Prabhat Ranjan kept on making false promises that the business will soon start and I will soon receive the goods.

That after waiting for a long time, I received the goods but, to my utter surprise I found that MUM's products were already expired and hence could not be used or sold at all. Therefore, I immediately intimated about the same to Pinaki Mukherjee and Pritam Sanyal over phone and asked Pinaki Mukherjee to take back the goods but Pinaki Mukherjee was delaying the matter on one and the other pretext. That as the said goods were unnecessarily occupying the space of my premises and being perturbed by the negligent and dilatory attitude of Pinaki Mukherjee, I wrote several email to Pinaki Mukherjee asking Pinaki Mukherjee to refund the security deposit and to take back the damaged goods from my godown and intimated him that I don't want to carry the business.

Ultimately after repeated request, Pinaki Mukherjee assured me over phone that he will return the security deposit of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) to me after I return the goods to Arunita Enterprises at Flat no. 303, Aakansha Homes, Singhmore, latna Road, Ranchi Jharkhand, Pin- 834003, GSTIN No. 20DBWPK7696J1ZT.

Accordingly, as per instruction of Pinaki Mukherjee, I returned the goods to Arunita Enterprises via e-way bill no. 8311 8187 4849 dated 1.10.2021 by lorry no. MH20EL6168 and informed about the same to Pinaki Mukherjee over phone and he acknowledged me about the receipt of the said goods and assured me that he will soon repay my deposited amount. But I did not get the said payment even after repeated requests.

That when I did not get any payment from Pinaki Mukherjee, I on 12.01.2022 called Prabhat Ranjan over phone and told him about the above matter and non-payment of Rs. 15,00,000/- despite the execution of the agreement with them. However, Prabhat Ranjan declined to have entered into any such agreement of clearing and forwarding agent and told that the signature and seal in the said agreement is forged. That I was taken aback to hear this and found myself being cheated by Pritam Sanyal, Pinaki Mukherjee, Sipra Mukherjee, who had conspired together to cheat me and has caused me wrongful loss. That Pritam Sanyal and Pinaki Mukherjee have deceived me to take the agency of MUM's products of Amrapali Biotech India Pvt. Ltd. and induced me to pay an amount of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) and believing them I paid the said amount however, they including Sipra Mukherjee and Prabhat Ranjan had dishonest intention from very beginning to cheat me and cause me wrongful loss of Rs. 15,00,000/- (Rupees Fifteen Lakhs Only).

I therefore request you to take necessary action against Pritam Sanyal, Pinaki Mukherjee, Sipra Mukherjee and Prabhat Ranjan who are involved in the conspiracy of cheating me. That Arunita Enterprises may also be involved in it.

Thanking you,

Yours Sincerely,

*Hari Kishan Agarwal*  
9434044174  
(HARI KISHAN AGARWAL)

Enclosures:

1. Photocopy of C & F agreement.
2. Photocopy of bank statements as proof of payment of Rs. 15,00,000/-.
3. Printed copy of emails and e-way bills.

Received vide Khajpara T.O.P  
GDE No. 21 dt. 01/02/22 at 10:30 am.  
and forwarded the copy to I/C  
SLG PS to start a case under  
Proven Section of Law. ASI Md.  
Aminul Islam will investigate  
the case.

*[Signature]*  
01.02.2022

Officer-in-Charge  
Khajpara T.O.P  
P.S. Siliguri  
Siliguri Police Commissionerate

Received on 02/02/2022 at 00:15 hr  
vide SCG PS GDE No. 69 dt. 02/2/22  
Started SCG PS case no. 164/22 dt.  
02/02/22 u/s 406/420/120 B IPC

*[Signature]*  
02/02/22  
Inspector  
Siliguri Police Station  
Siliguri Police Commissionerate