

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

0921



- Dist. Sarjalia P.S. Siliguri Year 2022 FIR No. 221/22 Date 26/2/22
- (i) Act IPC Sections 183/380/34 (ii) Act..... Sections.....
(iii) Act..... Sections..... (iv) Other Acts & Sections.....
- [a] Occurrence of Offence : Day..... Date From 25/2/22 Date To.....
Time Period..... Time From 16:00 m Time To.....
[b] Information received at P.S. Date PM 26/2/22 Time 21:45 h.
[c] General Diary Reference : Entry No. (s) 1462 Time 21:45 h.
- Type of Information :..... Written/Oral :.....
- Place of Occurrence : (a) Direction and Distance from P.S..... Beat No.....
[b] Address Samarat Building, Sevoke Road
PS - Siliguri, Dist. Sarjalia
[c] In case outside limit of this Police Station, then the
Name of the P.S..... District.....
- Complainant/Informant :
[a] Name Raj Kishor Prasad
[B] Father's / Husband's Name Dr. Kishan Prasad Kanoj
[c] Date / Year of Birth..... [d] Nationality.....
[e] Passport No..... Date of Issue..... Place of Issue.....
[f] Occupation.....
[g] Address 31, Balakrishna Chatterjee Road, Hakimpara,
PS - Siliguri, Dist. Sarjalia
- Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary):
(i) Sri Rajendra Prasad (ii) Sri Anand (iii) Sri Hari
(iv) Sri Raja Chakraborty (v) Md Anwar and others
- Reasons for delay in reporting by the Complainant / Information
- Particulars of properties stolen / involved (Attach separate sheet, if necessary)
Hotel business articles
- Total value of properties stolen / involved.....
- Inquest Report / U.D. Case No. If any.....
- FIR Contents (Attach separate sheets, if required) The original written Complaint of the Complainant is treated as FIR which enclosed herewith.
- 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. Md. Shamsud Din 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

Date & Time of despatch to the court
on 27/2/22 at 10:30 hrs.

Signature of the Officer-in-Charge, Police Station

26/2/22
Inspector-in-Charge
Sarjalia Police Station
No. 1462
Rank SI of Police No.

To
The Officer In-charge,
Panitanki TOP under Siliguri P.S.,
Siliguri.

Date : 26/02/2022

Sir,

I, Sri Raj Kishore Prasad, Son of Late Kishan Prasad Kanoo, resident of 34, Balaidas Chatterjee Road, Hakimpara, Siliguri, Post Office & Police Station – Siliguri, District – Darjeeling, beg to lodge this complaint as under :

1. That I have been carrying on the business of Machineries under the name & style of "Bharat Machine Tools Corporation" at the Basement floor of Hotel Samrat building, Sevoke More, Siliguri, Post Office & Police Station – Siliguri, District – Darjeeling, keeping my business articles i.e. welding machines, vibrators, vibrator shafts, juice machines, pullys, band saw blades, electric blowers, hand blowers, drill machines, water pumps etc. valued at Rs.15.00 Lakh (Rupees Fifteen Lakh) only (approx) in my godown situated on the first floor of the said Hotel Samrat Building.
2. That my elder brother, Sri Rajendra Prasad has been carrying on the similar business in the ground floor of the said Hotel Samrat building under the name and style of "Central Sales Corporation" and he is residing in the top floor of the said building.
3. That in terms of the Award and/or Order dated 09th February, 2006 passed by the Sole Arbitrator, Mr. Justice Samaresh Banerjee (Retd.), I have been allotted 1st floor to 6th floor of the Hotel Samrat building and accordingly I am legally entitled to use, enjoy and occupy the said floors peacefully and uninterruptedly.
4. That since last couple of years, my said elder brother, Sri Rajendra Prasad started creating obstruction to me in entering into my aforesaid godown, by putting lock on the landing of the stair case of the building.
5. That in the meantime, I had filed an application under Section – 9 of the Arbitration & Conciliation Act, 1996 being Misc. Judicial (Arbitration) Case no. 72 of 2015 against my said elder brother, Sri Rajendra Prasad before the Court of Law, praying for an order of injunction restraining him, his men and associates from creating any sort of obstruction, interference and annoyance to me in my peaceful and uninterrupted use and enjoyment of the Basement, First, Second & Third Floors of Hotel Samrat building and after hearing both the parties, the Ld. Additional District Judge (2nd Court) at Siliguri was pleased to pass an order on 09.08.2019, directing both of us to maintain status quo in respect of creating obstruction, interference and annoyance to each other relating to the subject matter of the schedule property which we acquired in terms of Arbitration Award till disposal of the Execution Case.

Received on 26.02.2022 at 20:55 hrs vide
Panitanki T.O.P GDE NO. 534 and forwarded
to g/c Siliguri PS to start a specific case
under proper section of Law. SI. Uday
Shankar Mandal of Panitanki T.O.P
investigate this case.

(Contd.....P/2).

Just
26/02/22
Officer In-charge
Panitanki T.O.P
Siliguri
Dist. Darjeeling

6. That the Execution Case is still pending, but my elder brother, deliberately violating the said order, has been regularly creating obstruction to me in entering into the first, second & third floors of Hotel Samrat building.

7. That on 25.02.2022 at about 4:00 p.m., I found through the window of my aforesaid godown situated in the first floor of Hotel Samrat building that most of my business articles have been stolen and taken away.

8. That my said elder brother, Sri Rajendra Prasad and his business employees viz. Sri Anand, Sri Hari, Sri Raja Chakraborty, Md. Ansari & others have only access to my said godown and as such it is crystal clear that all my business articles lying in my godown situated in the first floor of Hotel Samrat Building have been stolen and taken away by them.

You are, therefore, requested to enquire into the above matter and take immediate steps/actions against said Sri Rajendra Prasad and others, starting a specific case against them.

Encl:

1) Copy of the Award/Order dated 09.02.2006 passed by the Sole Arbitrator, Mr. Justice Samaresh Banerjee (Retd.).

2) Copy of the Application under Section - 9 of the Arbitration & Conciliation Act, 1996 along with the Order dated 09.08.2019.

Yours faithfully,

Raj Kishore Prasad

(Raj Kishore Prasad)
Mobile No.7908782171 / 9832336100

Received on 26/2/22 at 21.45 hr.
vide S.G.P.S. G.D.E. No 1462 dt. 26/2/22
STANDARD S.G.P.S. CASE NO. 221/22 dt.
26/2/22 W/S 188/380/24 JRC

[Signature]
Inspector in Charge
Siliguri Police Station
Siliguri Police Commissionerate