



Dist. SPC P.S. Bhaktinagar Year 2022 FIR No. 324/22 Date 25/03/2022  
i) Act. — Sections — ii) Act. — Sections —  
iii) Act. — Sections — (iv) Others Acts & Sections —

(a) Occurrence of Offence : Day — Date From 11/09/2019 Date To 7/03/2022  
Time Period — Time From — Time To —

(b) Information received at P.S. Date 25/03/2022 Time 18.30 hrs.

(c) General Diary Reference : Entry No(s) 1696 Time 18.30 hrs.

4. Type of Information : — Written / Oral

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

(b) Address Janta Nagar, Astileghat Road, By Lane, Opp Ballon Sarkees Medicine Shop, PO Saroke Road, PS Bhaktinagar, Jalpaiguri

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

6. Complainant / Informant :

(a) Name Sri Liton Kumar Saha

(b) Father's / Husband's Name S/O Late Kamuni Mohan Saha

(c) Date / Year of Birth — (d) Nationality Indian

(e) Passport No. — Date of Issue : — Place of Issue —

(f) Occupation —

(g) Address Janta Nagar, Saroke Road, PS Bhaktinagar, JPH.

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

(Attach separate sheet, if necessary) :

① Sri Gour modak s/o Lt Hanpada modak ② smt kabita modak ③ Dipankar modak all of Janta Nagar, PS Bhaktinagar Dist: Jalpaiguri

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

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

Cash Rs 3,00,000/-

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 herewith/ reproduced over leaf

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 RAMESH BHITREKOTHEY 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

Inspector-In-Charge  
Bhaktinagar Police Station  
Siliguri Metropolitan Police

Name : DAWA TSHERING SHERPA

Rank : SI OF POLICE  
324 N W/STC

15. Date & Time of despatch to the court : —



Date:-

To  
The Officer-in-Charge,  
Bhaktinagar Police Station  
Sevoke Road, Dist. Jalpaiguri

Sub-F.I.R.

Respected Sir,

With due respect, I SRI. LITON KUMAR SAHA, S/o. Late Kamini Mohan Saha, resident of Janata Nagar, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri beg to state that I had good relation with one Sri Gour Modak, S/o. Late Haripada Modak, resident of Janta Nagar, Ashikghat Road By Lane, Opp. Ballav Sarkar Medicine Shop, P.O. Sevoke Road, P.S. Bhaktinagar, District. Jalpaiguri had expressed me that due to urgent need of money, he has decided to sell his 3(three) decimals landed property, recorded in R.S. Khatian No. 1336, corresponding to L.R. Khatian No. 1730 & 1731. Pertaining to the R.S Plot No. 150 corresponding to the L.R. Plot no. 336, situated at Mouza -Kawakhali, P.S. Matigara, Dist. Darjeeling.

After perusing his ownership documents, I have entered into an agreement with said Gour Modak on 11th day of September, 2019 and he had agreed to sell his 3(three) decimals land to me subject to some terms and conditions mentioned in the said agreement. The consideration amount of the above mentioned land was settled a sum of Rs.4,80,000/- (Rupees Four Lacs Eighty Thousand) only and I have paid a sum of Rs.70,000/- (Rupees Seventy Thousand) only as an earnest money i.e. part of consideration amount and within 3 months from the date of 11/09/2019, he had agreed to execute the deed of sale in favour of me. After expiry of the 3(three) months period mentioned in the agreement dated 11/09/2019, said Gour Modak has mutually extended the time period as due to his health problem, he could not execute the deed of sale within said due time. However, Gour Modak, his son Dipankar Modak and his wife Kabita Modak have received part payment of consideration amount on several dates from me and lastly on 11/01/2021 and thereby they have received a total sum of Rs.3,00,000/- (Rupees Three Lacs) only as part payment of consideration from me.

That for extending the time period, said Gour Modak has again entered into a fresh agreement with me on 8<sup>th</sup> day of February 2022 and it was decided and agreed by Gour Modak that within 15<sup>th</sup> March 2022, he shall execute a deed of sale in my name and I shall pay the balance consideration amount to Gour Modak. In the said agreement, the wife and son of Gour Modak have also signed as witnesses. They have also given me the original copy of ownership deed in the name of Gour Modak. Thereafter, on several occasions, I have requested said Gour Modak and his family to receive the balance consideration amount and to fix a date for execution and registration of the sale deed in my favour but they have been neglecting to do so.

Surprisingly on 7<sup>th</sup> March 2022, when I have visited the above mentioned land, I found that one Smt. Bulbuli Roy is residing in and over the above mentioned land by constructing a house thereon and, I came to learn that Gour Modak has already sold and transferred the above mentioned land to the said Bulbuli Roy by executing a deed of sale being no. 1-7349 dated 04/10/2021 registered in the office of the A.D.S.R. Siliguri II at Bagdogra. In spite of receiving part payment of consideration amount and in spite of entering into an agreement with me, said Gour Modak in collusion with his wife Kabita Modak and Dipankar Modak have sold the above mentioned land to a Third Party and

Received  
on 25/03/22  
at 18-30 hrs  
vide GDR NO  
1696 dt 25/03/22  
and started  
Blon PS con NO  
324/22 dt  
25/03/22. U/S  
406/420/34  
IPC and  
enclosed 16.  
Same to ACP  
Ramesh  
Bhattacharya  
for the  
investigation  
h  
Inspector in Charge  
Bhaktinagar Police Station  
Siliguri Metropolitan Police

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even after selling the above mentioned property. Gour Modak has again entered into an agreement with me on 08/02/2022.

From the very beginning Gour Modak along with his wife Kabita Modak and Dipankar Modak had dishonest intention to cheat me and for that purpose they have induced me to pay part payment of consideration amount to them, even after selling the property to a third party. They have also committed criminal breach of trust as they have dishonestly misappropriated my money.

Therefore, I request you to take necessary legal action against (1) Sri Gour Modak, S/o. Late Haripada Modak, (2) Smt. Kabita Modak, (3) Dipankar Modak, all are resident of Janta Nagar, Ashikghat Road By Lane, Opp. Ballav Sarkar Medicine Shop, P.O. Sevoke Road, P.S. Bhaktinagar, District. Jalpaiguri for punishing them as per provision of law. And for this kindness, I shall much oblige to you.

Yours faithfully

*Liton Kumar Saha*  
LITON KUMAR SAHA

Mobile No.- 8250490515

of the Complainant / Informant

DR No. 1037...DT. 20/1/22  
Bhaktinagar Police Station  
Siliguri Police Commissionerate

Name : DAWA TS Inspector-In-Charge  
Bhaktinagar Police Station  
Rank : No 5102 PSIGAR Metropolitan Police  
BKN RISHI

15. Date & Time of despatch to the court :-