

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

3742



P.S. Bhaktinagar Year 2022 FIR No. 350/22 Date 12/04/2022
Sections 447/506/420/465/ (ii) Act. - Sections -
Sections 467/468/471/121B (iv) Others Acts & Sections -

3. Occurrence of Offence : Day - Date From 2020 Date To -
Time Period - Time From - Time To -

(b) Information received at P.S. Date 12/04/2022 Time 00:05 hr.
(c) General Diary Reference : Entry No(s) 482 Time 00:05 hr.

4. Type of Information : - Written / Oral

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

(b) Address Sasti Nagar Ward No 41, SMC Under Bhaktinagar
PS, Dist: Jalpaiguri RS Plot NO 2/252 and 2/794 Sheet No 9.
Dabganj.

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

6. Complainant / Informant :

(a) Name Smt Kisan Devi Agarwal

(b) Father's / Husband's Name W/O Kishan Kumar Agarwal

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

(e) Passport No - Date of Issue : - Place of Issue -

(f) Occupation -

(g) Address Sri Ram Colony, Sevoke Road Siliguri, Dooars.

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

(Attach separate sheet, if necessary) :
① Buharee Ray ② Jigan Ray of Sasti Nagar, WNO 41, SMC ③ Kaupada Sarkar ④ Haibat Mohamed of Baskintha Dally, WNO 41, SMC and his associates and others

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 complaint which is treated as FIR is enclosed herewith / reproduced over leaf 12/4/22

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 SI RAMANATH KARJEE to take up 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.

Noted in original Complaint
14. Signature / Thumb impression [Signature]
of the Complainant / Informant
Signature of the Officer-in-Charge, Police Station [Signature]
Name SRI AMRESH SINGH
Rank : No. 1/C BKN PS/SPC

15. Date & Time of despatch to the court :

To,
The Inspector in Charge,
Bhakti Nagar Police Station,
District: Jalpaiguri [WB]

Dear Sir,

Subject: (1) Complaint against unauthorized and illegal sale/transfer of landed properties on the basis of forged and fabricated LR Khatian No. 268 of Mouza Dabgram, Sheet No. 30 created in the name of Guddu Singh, Son of Dai Das;

AND

ALSO (2) against pucca construction being made illegally and wrongfully by the land mafias/land encroachers

BY

Namely Budharu Roy, Jogin Roy of Shastri Nagar Ward No. 41, SMC and his several unknown associates including of the corrupt employees/officer of the office of BLLRO, Rajnaji and other persons namely Kalipada Sarkar, Haishbul Mohammad, of Baikunthapally of Ward No. 41 of SMC

With due respect, I the undersigned like to state that I along with my husband Sri Kishan Kumar Agarwal [now deceased], Son of Late Baldeo Das Agarwal of Sriram Colony, Sevoke Road, Siliguri had/have lawfully acquired the ownership with possession over the plots of land measuring 0.44 Acres, in RS Plot No. 2/452 and 2/794 of Sheet No. 09 of Mouza Dabgram, by purchasing the same for valuable consideration by virtue of a Deed of Conveyance in the year 2000. It is stated that my husband, while purchasing the said plots of land also arranged to get construction of the ground level concrete wall in all sides of the said purchased plots of land and also got the measurement thereof with the help of a Retired Govt. Surveyor namely Sri J. Bhowmick and that he also prepared one site plan showing the said plots of land and categorically mentioned in the site plan that the said plots of land was/is surrounded by ground level concrete wall in all sides of the said plots of land and that he shown the purchased land in site plan with boundary in Northern Side as the land of Ram Lal Singh; in Eastern Side as the land of Pipe Line; in Western Side as the land of Ram Lal Singh and in Southern Side as the Land of Gajal Singh and Surja Singh. The relevant portion of the Sheet No. 09 of the map of Mouza Dabgram was also sketched in the said site plan by the said Sri J. Bhowmik and he shown the purchased land with red colour mark and the said map was annexed with the said Deed, by which I along with my husband purchased the said plots of land by registered Deed in the year 2000.

Sir, it is stated that subsequently, due to expiry of my husband on 17.04.2007, I along with my two sons and one daughter namely Sri Pawan Kumar Agarwal, Sri

Received on
12/04/2011
60-03 11/04/2011
421 No 452
of 12/04/2011
and 23/04/2011
Ch. 15 case
No 250/2011
of 12/04/2011
421 447/2011
620/465/2011
11/5/11/2011
60-03 11/04/2011
The same to
SI Pawan K
1000 govt
its measurement

12/4/2011
Inspector in Charge,
Bhakti Nagar Police Station,
Jalpaiguri Police Commission

Vishal Agarwal and Smt. Dipika Goyal inherited the said fifty percent shares of my husband and thus I along with my said two sons and one daughter became the absolute owners in possession of the said plots of land having undivided right, title, interest and possession therein. It is stated that since thereafter, I along with my said sons and daughter also arranged to get mutation of the said plots of land in the records of the land department vide Mutation Case No. IX-II/400/R/08-09 and also paid the land revenue to the State of West Bengal from time to time and that I along with my said sons and daughter also got our names mutated in the records of Siliguri Municipal Corporation Siliguri against Holding No.337 of Ward No. 41 of Siliguri Municipal Corporation, Siliguri and paid the Mutation Fee and Municipal Holding Taxes to the Siliguri Municipal Corporation, Siliguri.

Sir, thereafter in course of revisional settlement, the said plots of land was also measured in the year 2010/2011 by the land department and that the land department issued/opened/revised the Plot Nos. of the said plots of land as LR Plot Nos. 46, and recorded the said plots in LR Khatian being Nos. 55, 56, 57 and 58 of L R Sheet No. 30 [Previous Sheet No. 09] of Mouza Dagbram in the name of Smt. Kiran Devi Agarwal [0.275 Acres], Sri Pawan Agawal [0.05 ½ Acres] , Sri Vishal Agarwal [0.05 ½ Acres] and Smt. Dipika Goyal [Agarwal] [0.05 ½ Acres] as the recorded owners thereof and issued the separate Hand Written Khatians to me and my said two sons and one daughter with a date as 27.08.2011, after complying the due process of law Vide T R No. 172. Subsequently, I along with my said sons and daughter also paid the land revenue of the said plots of land in our names. And thus I along with my said two sons and one daughter were/are the owners in possession of the said plots of land measuring 0.44 Acres in RS Plot No. 2/452 and 2/794 [Corresponding to LR Plot No. 46] of Sheet No. 09 [Corresponding to LR Sheet NO. 30] as recorded in Khaian No. 681/3 [LR Khatian No. 55, 56, 57 and 58] of Mouza Dabgram District: Jalpaiguri [West Bengal].

Sir, it is stated that one Sri Budharu Roy and his father Sri Jogin Roy and his associates namely Kalipada Sarkar, Son of Late Sukumar Sarkar, Hasibul Mohammad Son of Samir Hudda, Resident of Joyanti Colony, Post Office : Manuagachh, PIN : 735 135, PS. Bhakti Nagar, District : Jalpaiguri had/have an eagle eyes over my/our said plots of land and accordingly, in the month of July, 2016, they conspired against me and my said sons/daughter illegally and wrongfully and with his/their dishonest and fraudulent intention, commenced one

proceedings under Section 144 of Cr P C in the Court of the Ld. Executive Magistrate, Jalpaiguri Vide Petition Case No. 825 of 2016 only on the strength of the said alleged Khatian No. 681/3 stands recorded in the name of one Guddu Singh [Now deceased] with an intention to extort money from me and my sons and obtained an ex parte order from the said Ld. Court on 11.07.2016 and on the strength of the said order had/have trespassed over a portion of my/our said landed properties to extort money and they also committed offence punishable under the law and so one complaint was lodged to Bhakti Nagar Police Station on 18.07.2016 narrating the incident, vide Bhakti Nagar Police Station Case No. 1055/16 of dated: 18.07.2016 under Section 447/427/385/509/506 IPC and the said case is still pending in the Court of the Ld. Chief Judicial Magistrate, Jalpaiguri. I along with my said sons and daughter also compelled to institute one Title Suit against the said Budharu Roy, Son of Jogin Roy and his father Jogin Roy Son of Dol Govind Roy for declaration, injunction and also for removal of temporary structure which made by the said persons over my/our said landed properties, Vide Title Suit No. 123 of 2017 of the Court of the Ld. Civil Judge [Sr. Division], Jalpaiguri and that the said suit is pending for hearing and disposal. It is stated that the said Budharu Roy had/has also illegally and wrongfully obtained the electric connection over the said plots of land even without having any lawful right, title, interest over the said plots of land on the strength of one Certificate obtained from one Sri Rabi Roy, the then Ward Councillor of Ward No. 41 of Siliguri Municipal Corporation, Siliguri. The said matter is also pending for hearing and disposal before the Court of the Learned Civil Judge [Junior Division], Jalpaiguri in Title Suit No. 151 of 2017.

Sir, it is stated that subsequently on 02.09.2017, when my son Pawan Kumar Agarwal found that the said Budharu Roy and his associates is digging the land in middle portion of my/our said plots of land with the help of engaged labourers and workers for the purpose of making some further structure and when he objected them for doing so, then they become furious and abused in filthy language and threatened with dire consequences and accordingly he lodged the complaint to the police on 02.09.2017. It is stated that subsequently on 04.11.2017, my said son also found that the said Budharu Roy and his father shifted the said tin shed from north east corner to middle portion of the northern side boundary and had also put one concrete demarcation line/boundary with RCC running from north to south in between my/our said plots of land. The incident occurred on the said date was also reported to the police on the same day on 04.11.2017. It is stated that on 05.03.2019,

I along with my son Sri Pawan Agarwal also found that the said Budharu Roy had/have again put one another demarcation dhalai running from east to west [touching earlier illegally constructed dhalai running from north to south in middle portion of the said landed suit/properties in spite of pendency of the suit over the properties. This information was also lodged by me to the police on 06.03.2019.

Sir, it is stated that on 20.01.2020, I along with my son got an information that the said Budharu Roy and his associates are covering my/our said plots of land with tin-berras in all sides and when I interfered into the matter, then they become furious and threatened me with dire consequences. The said incident was also reported by me to the police on 20.01.2020 with a copy thereof to the Commissioner of Police. The letters were also sent to Hon'ble Smt. Mamta Banerjee, Chief Minister of West Bengal and Sri Goutam Deb, Hon'ble MIC, Department of Tourism, Govt. of West Bengal, but nothing could be done in this matter due to commencement of pandemic Corona Virus Covid-19.

Sir, subsequently, I have arranged to go through the website of the land department through my representative and come to know that the land which was recorded in my name against LR Khatian No. 55 for 0.2750 Acres in respect of LR Plot No. 46 had/had been reduced to 0.125 Acres from 0.2750 Acres and the said 0.15 Acres of LR Plot No. 46 is recorded in the name of one Guddu Singh Son of Dai Das of Baikuntha Pally, illegally and wrongfully and also with dishonest and fraudulent intention vide LR Khatian No. 268 of LR Sheet No. 30 of Mouza Dabgram. Soon thereafter, I had/have asked my representative to obtain the certified copy of the record of said LR Plot No. 46 and I had/have also got the certified copy of LR Plot No. 46, wherefrom I had/have also found that the name of Guddu Singh, Son of Dai Das of Baikuntha Pally is appearing for 0.15 Acres of land in respect of LR Plot No. 46 and that his name is recorded in LR Khatian No. 268 opened subsequently. I had/have also found that only the land measuring 0.125 Acres is recorded in my name instead of 0.2750 Acres and that the land measuring 0.15 Acres belonging to me/in my name had/had been deleted from the official records.

Sir, thereafter, my said son and his uncle visited the office of BLLRO, Rajganj and personally met with the then officer holding the chair of BLLRO, Rajganj on 27.01.2020 and came to know that the computer maintained by him in his chamber do not show the name of Guddu Singh in respect of LR Plot No. 46 in any way, whereas the office of the BLLRO, Rajganj had/had issued the certified copy of LR

Khatian No. 268 showing the said Guddu Singh as also the owner of the said alleged 0.15 Acres of land in respect of LR Plot No. 46 of LR Sheet No. 30 of Mouza Dabgram in addition to other plots of land allegedly owned by the said Guddu Singh in LR Plot Nos. 2, 4, 45, 47 of LR Sheet No. 30 of Mouza Dabgram. The said officer [that is the then BLLRO, Rajganj] at the said time could not give satisfactory answer to my/our queries as to how the name of Guddu Singh Son of Dai Das was/is appearing/showing in the website and how the certified copy of the said LR Khatian No. 268 had/has been issued in the name of Guddu Singh.

Sir, I had/have at the said time, no alternative, but to lodge the complaint to the said BLLRO, Rajganj for by writing a letter dated: 03.02.2020 for correction of my LR Khatian and then only the record of my said plots of land was corrected. At the said time, I have also come to know that that the said Budharu Roy in collusion with his father Sri Jogin Roy and also in collusion with their associates have sold a plots of land measuring 03 Kathas for valuable consideration from the said L R Khatian No. 268 being LR Plot No. 47, but showing the boundary of a portion of my/our said 0.44 Acres of plots of land in the said Deed of Conveyance to one Sri Sadhan Chandra Dutta Vide Deed No. 1-1503 for the year 2018 on 05.03.2018 executed and registered at the office of the ADSR, Bhakti Nagar, District Jalpaiguri. It is stated that in the said Deed of Conveyance, one site plan was annexed showing a portion of my/our LR Plot No. 46 as LR Plot No. 47 which was prepared by one Amin namely Bikash Roy illegally and wrongfully. I have also come to know that in a tin shed structure made over a portion of my/our said plots of land illegally and wrongfully, the said Budharu Roy and his associates also inducted a tenant namely Sri Chitta Ranjan Saha. After knowing such facts, I had/have lodged one complaint to the police on 14.03.2021 with a request to do the needful into the matter and that the said complaint was recorded as BKN PS GDE No. 746 of dated: 14.03.2021.

Sir, thereafter on 30.03.2022, I along with my two sons found that the said Budharu Roy and his associates had/have started to construct the RCC Pillars over a portion of my said plots of land illegally and wrongfully and when we interfered into the matter, then they become furious and abused me and my sons in filthy language and threatened with dire consequences. It is stated that the said Sri Budharu Roy and his father or any one who so ever were/are making the pucca construction illegally and wrongfully to grab my plots of land even without having any documents or any building plan in any way and even by violating the rules and provisions of the

Municipal Corporation Law in as much as the said plots of land is a part and parcel of the area comprising Ward No. 41 of Siliguri Municipal Corporation, Siliguri. And so I lodged the complaint to the police again on 30.03.2022 with a copy thereof to the Commissioner of Police, Siliguri Metropolitan Police, Siliguri. The complaint was also addressed/sent to the Commissioner of Siliguri Municipal Corporation, Siliguri, Borough Chairman No. 5 and also the Ward Councillor of Ward No. 41 to do the needful into the matter.

Sir, on further enquiry, I have further come to know that the said Budharu Roy had/has arranged to execute and register a General Power of Attorney favoring one Kalipada Sarkar, Son of Late Sukumar Sarkar of Baikunthapally, Ward No. 41, SMC, Siliguri in respect of 06 [six] Kathas of land appertaining to LR Plot No. 45 of Mouza Dabgara, LR Sheet No. 30 at the office of the ADSR, Bhakti Nagar, in Book No. I, Volume No. 0711-2020 Page from 103519 to 103534, being Deed No. 071103821 for the year 2020. It is stated that on the strength of the said General Power of Attorney, the said Kalipada Sarkar, executed and registered three Deeds of Conveyances, (1) favoring Biplab Das, Son of Sri Chittaranjan Das, resident of Baikunthapally, Ward No. 41, SMC, Silligurs in Book No. I, Volume No.0711-2021 Pages 127120 to 127141 being Deed No. 071104691 for the year 2021, for one Kathas 08 Chhataks of land, (2) favoring Smt. Mitali Ballav, Wife of Sri Vijay Ballav, resident of Baikunthapally, Ward No. 41, SMC, Silligurs in Book No. I, Volume No.0711-2022 Pages 27354 to 27376, being Deed No. 071100675 for the year 2022, for two Kathas of land, and (3) favoring Smt. Rekha Yadav, Wife of Sri Lal Babu Yadav, resident of Ramkrishna Sarani, Baikunthapally, Ward No. 41, SMC, Silligurs in Book No. I, Volume No.0711-2022 Pages 70961 to 70981 being Deed No. 071102186 for the year 2022, for one Kathas of land. It is stated that one Atanu Das Amin had/has prepared the sketch map for the land sold to Biplab Das, showing the portion of my/our LR Plot No. 46 as LR Plot No. 45 illegally and wrongfully and also with dishonest and fraudulent intention. It is further stated that one Samir Dutta Amin having Registration Number 2045/12 had/has prepared the sketch map for the land sold to Mitali Ballav and Rekha Yadav, showing the portion of my/our LR Plot No. 46 as LR Plot No. 45 illegally and wrongfully and also with dishonest and fraudulent intention.

It is stated the said Budharu Roy and his associates including his father Jogin Roy, Kalipada Sarkar, Hasibul Mohammad had/have illegally and wrongfully encroached

my/our said landed properties appertaining to LR Plot No. 46 of LR Khatian Nos. 55, 56, 57 and 58 of Mouza Dabgram LR Sheet No. 30 and had/has also arranged to get opening of one new forged and fabricated LR Khatian No. 268 of Mouza Dabgra of LR Sheet No. 30 with the help and collusion with the some of the corrupt employees/staff of the office of BLLRO, Rajganj by manipulating the records and have succeeded to include the plots of land measuring 0.3750 Acres in respect of LR Plot No. 2; Land measuring 0.3280 Acres in respect of LR Plot No. 4; Land measuring 0.1763 Acres in respect of LR Plot No. 45; Land measuring 0.15 Acres in respect of LR Plot No. 46; and Land measuring 0.2730 Acres in respect of LR Plot No. 47 of Mouza Dabgram of LR Sheet No. 30 illegally and wrongfully and that too in the name of a person namely Guddu Singh, Son of Daidas of Baikuntha Pully, PS. Bhakti Nagar, District : Jalpaiguri, who had/has died in the year 1960.

Sir, it is stated that although on my/our complaint, the office of BLLRO, Rajganj had/has corrected and resotred my plots of land in respect of LR Plot No. 46, but the said office had/has neither taken any action against opening of the said forged and fabricated LR Khatian No. 268 nor took the lawful actions against the said persons for inclusion of my plots of land measuring 0.15 Acres of LR Plot No. 46 in LR newly opened LR Khatian No. 268.

Besides the above, it is stated that on the basis of the said forged and fabricated LR Khatian No. 268 and also in collusion with some of the local amins namely Sri Bikash Roy, Sri Atanu Das and Sri Samir Dutta had/have succeeded to prepare the site plan illegally and wrongfully and also with their dishonest and fraudulent intention in respect of LR Plot No. 47 and LR Plot No. 45 showing the portion of my/our plots of land of LR Plot No. 46 of Mouza Dabgram of LR Sheet No. 30 and that the said land mafias/land encroached had/have also arranged to cheat and extort money from some of the local persons by selling/transferring the said plots of land to one Sadhan Chandra Dutta, Sri Biplab Das, Smt. Mitali Ballav and Rekha Yadav for valuable consideration illegally and wrongfully and also with their dishonest and fraudulent intention, knowing fully that the said Budharu Roy was/is not the legal heir of the said Guddu Singh in any way and even if he was/is one of the legal heir, then also, he had/has no right, title, interest and lawful possession over the said alleged land for which he succeeded to open the said LR Khatian No. 268 of Mouza Dabgram of LR Sheet No. 30. It is stated that some of the corrupt employees/staff of office of the BLLRO, Rajganj had/has also illegally and wrongfully opened the new

LR Khatian No. 268 in the name of a dead person, that is Guddu Singh. And that on the basis of their said illegal and unauthorized act and conduct, they are now making pucca construction over the said plots of land without having any proper approved building plan.

Sir, as such the said Budharu Roy and his associates namely Jogin Roy, Kalipada Sarkar, Hasibul Mohammad, Bikash Roy, Atanu Das and Samir Dutta and other unknown persons and associates of the said Budharu Roy in collusion with each others including some unknown corrupt employees and staff of the office of BLLRO, Rajganj were/are involved in illegal activities and that they committed the offence punishable under the provisions of law including for forgery of the govt. documents, cheating and extorting money from the local persons. And as such I therefore, requests your good office to be kind enough to register the complaint and investigate into the matter to punish the culprits and also for restoration of my/our plots of land of LR Plot No. 46 of Mouza Dabgram, under LR Sheet No. 30, for the ends of justice.

Encl. Earlier complaints

Yours faithfully

Date: 10.04.2022

CC to :
The Commissioner of Police,
Siliguri Police Commissionerate,
Siliguri

Kiran-Devi Agarwal
[Kiran Devi Agarwal]
W/O. Late Kishan Kumar Agarwal
Sri Ram Colony, Sevoke Road,
Siliguri, Darjeeling (WB)

.....for information and necessary action, please. M-98323-65001

Enclosures :

1. Xerox copy of my Deed of Conveyance.
2. Xerox copy of Mutation Certificate and Hand Written Khatians
3. Xerox copy of certified copy of LR Khatian Nos. 55, 56,57 and 58 obtained in the year 2016;
4. Xerox copy of complaint lodged to Police;
5. Xerox copy of complaint lodged to the office of BLLRO, Rajganj
6. Xerox copy of certified copy of LR Khatian showing the reduction Of my land from 0.2750 Acres to 0.125 Acres and also the details of LR Plot No. 46 showing the name of Guddu Singh, Son of Dai Das..
7. Xerox copy of LR Khatian showing the restoration of my land of LR Plot No. 46.
8. Xerox copy of Four Deeds of Conveyances showing the land sold by Budharu Roy in LR Plots No. 45 and 47 showing my/our plots of land of LR Plot No. 46.