



FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

Dist. Sarjheeling P.S. Siliguri Year 2022 FIR No. 438/22 Date 07/5/2022
(i) Act. IPC Sections 351c/376/384/506/120 B (ii) Act. Sections

(iii) Act. Sections A/N (iv) Other Acts & Sections 66E/67/67A of I.T. Act 2006

[a] Occurrence of Offence : Day..... Date From 31.12.2008 Date To.....
Time Period..... Time From Not mention Time To.....

[b] Information received at P.S. Date on 07/5/22 Time 21.15 hrs

[c] General Diary Reference : Entry No. (s)..... Time 21.15 hrs

Type of Information : Written/Oral
Place of Occurrence : (a) Direction and Distance From P.S. 01 KM East Beat No.....

[b] Address Mother Teresa Sarani, South Babupara near Boys club
PS - Siliguri, Dist. Sarjheeling.

[c] In case outside limit of this Police Station, then the Name of the P.S..... District.....

Complainant/Informant :

[a] Name Smt. Madhumita Ghosh

[b] Father's / Husband's Name Sri Suvendu Ghosh

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

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

[f] Occupation.....

[g] Address Arshi, Mother Teresa Sarani, South Babupara near Boys club
PS - Siliguri, Dist. Sarjheeling.

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

① Shri Supratim Paul s/o Sri Swapan Paul ② Smt. Sabita Paul
w/o Sri Swapan Paul both are Residence of Mother Teresa
Sarani, South Babupara, PS - Siliguri, Dist. Sarjheeling.

Reasons for delay in reporting by the Complainant / Information

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

Total value of properties stolen / involved.....

Inquest Report / U.D. Case No. If any.....

FIR Contents (Attach separate sheet, if required) The original written Complaint
of the Complainant is treated as FIR which
is enclosed here with.

Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2 registered the case and took up to the investigation / directed Shri. Biswajit Majumdar 1/c Cyber PS.
investigation / refused 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.

Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Inspector-In-Charge
Siliguri Police Station

Date & Time of despatch to the court

Name Sudip Chakraborty
Rank Inspector of No. Police
1/c Siliguri PS/SPC

on 08.05.22 at 10.30 h.

IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE
AT SILIGURI DIST. DARJEELING

Misc. Petition Case No. 11 of 2022

CIS Regd. No.:

CNR No.:

Smt. Madhumita Ghosh

..... Petitioner/complainant

-Vs-

1. Supratim Paul
2. Smt. Sabita Paul

.....O.Ps/Accused Persons

Order dated 29.04.2022

The complainant has filed a petition for complaint and has prayed for passing an order in resonance to Section 156 (3) of the Criminal Procedure Code 1973.

Perused the written complaint, affidavit and documents filed during the course of hearing.

Ld. Lawyer for the complainant vociferously tried to substantiate the point that intervention of the police is necessary and a probe be directed by the police authorities.

Heard. Considered.

I find that the essence of allegations ventilated in the written complaint is cognizable in nature. I find that all material evidences are not in custody of the complainant. Therefore, for proper investigation of this allegation State machinery is required.

Considering above discussion, it is ordered that petition u/s 156(3) of CrPC is allowed.

I.C Siliguri PS is directed to start a specific case upon the allegations made in this petition and to cause its investigation.

Let a copy of this order be sent to I.C Siliguri PS for compliance.

Call for report from I.C Siliguri PS regarding the compliance of this order on 17.05.2022.

Fix 17.05.2022 for report of I.C Siliguri P.S.

DR. NO. 6729 DI. 06.05.22
INSPECTOR - Office
SLG. Court - SPC.

sd/-

D&C by me

Addl Chief Judicial Magistrate

sd/-

Siliguri

ACJM/SLG.

Addl. Chief Judicial Magis
SILIGURI

IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE
AT SILIGURI, DIST. DARJEELING

No. 742/22 Dated 30.04.22

Copy forwarded for compliance to I.C Siliguri P.S.

↓
Addl Chief Judicial Magistrate
Siliguri

Addl. Chief Judicial Magis
SILIGURI

99
65

99
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Madhumita Ghosh

Filed by
Sudhanshu Sharma
Adv 15/5

JST. L.A.
IN THE COURT OF THE LD. A.C.J.M., AT SILIGURI.



Ref: Misc. Petition No. || of 2022.

IN THE MATTER OF:

An application under Sub-Section 3 of Section 156 of the Code of Criminal Procedure, 1973.

AND

IN THE MATTER OF:

Inactions on the part of the Inspector -in -Charge of Cyber Crime Police Station and of the Inspector -in -Charge of Siliguri Police Station under Siliguri Metropolitan Police and further on the part of the Commissioner of Police of Siliguri Metropolitan Police to lodge First Information Report and initiate/commence investigation after getting /receiving information regarding commission of grave and serious criminal offences, cognizable in nature, under Sections 354 C/ 376/ 384/ 506/ 120 B of the Indian Penal Code read with Sections 66 E/ 67/ 67 A of the Information Technology Act, 2000.

Received on 07/5/22 at 21:15 hrs vide SC9 PS GDE No. 410 Dt. 07/5/22 Started Siliguri PS case No. 438/22 Dt. 07/5/22 w/s 354C/376/384/506/120B IPC & 67 Sec 66E/67/67A of IT Act 2000 and as per order of DyCP(A) SPC this case endorsed to Shri Biswajit Majumdar, JSP of Police at Present HC Cyber PS/SPE for its investigation

07/5/22
Inspector-in-Charge
Siliguri Police Station
Siliguri Police Commissionerate

solemnly Affirmed & Declared before me on identification
Rajendra Bhattacharya
NOTARY
Siliguri

AND

IN THE MATTER OF:



Madhumita Ghosh
Filed by:
Tapan Ghosh

Smt. Madhumita Ghosh, Wife of Shri Suvendu Ghosh, permanent resident of Akshi, Mother Teresa Sarani, South Babupara, Near Babupara Boys Club, Post Office -Siliguri Town, under Siliguri Police Station, District -Darjeeling, PIN -734004.

..... Complainant/Petitioner.

-Versus-

1. Shri Supratim Paul, Son of Shri Swapan Paul;
2. Smt. Sabita Paul, Wife of Shri Swapan Paul, both are residents of Mother Teresa Sarani, South Babupara, Post Office -Siliguri Town, under Siliguri Police Station, District -Darjeeling, PIN -734004.

.....Accused Persons
/Opposite Parties.

The humble petition on behalf of the complainant/ petitioner above named.

MOST RESPECTFULLY SHEWETH:

1. That, the complainant/petitioner is a law abiding citizen of India having her abode as mentioned in the cause title hereinabove and the cause of action which arose is well within the local limits of jurisdiction of this Ld. Court.

Solemnly Affirmed & Verified before me on Identification

Kanchan Bhalotra
NOTARY
Siliguri

2. That, on 31.12.2020, the accused person/opposite party no. 1, who was a neighbour of the complainant/petitioner



Madhumita Ghosh
Filed by
Taru Shaha

Smt. Madhumita Ghosh, Wife of Shri Suvendu Ghosh, permanent resident of Akshi, Mother Teresa Sarani, South Babupara, Near Babupara Boys Club, Post Office -Siliguri Town, under Siliguri Police Station, District -Darjeeling, PIN -734004.

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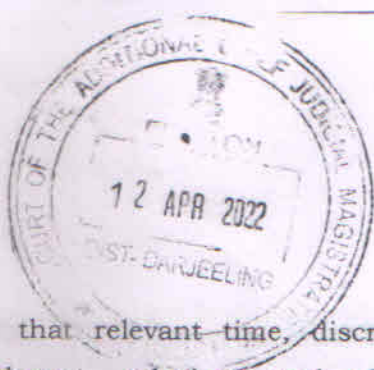
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solemnly Affirmed & Declares before me on Identification

Kanchan Bhattacharya
NOTARY
Siliguri

2. That, on 31.12.2020, the accused person/opposite party no. 1, who was a neighbour of the complainant/petitioner



Madhumita Ghosh

filed by
Taran Sharma
Advocate

at that relevant time, discreetly captured few obscene, indecent, salacious and offensive photographs of the complainant/petitioner through his mobile/cell phone without the knowledge and consent of the complainant/petitioner.



3. That, thereafter, the accused person/opposite party no. 1 showed those obscene, indecent, salacious and offensive photographs of the complainant/petitioner captured and stored in his mobile/cell phone to the complainant/petitioner and since from the very next day onwards the accused person/opposite party no. 1 started blackmailing the complainant/petitioner by threatening her that if the complainant/petitioner do not pay him cash money as and when demanded by him, he will publish and circulate those obscene, indecent, salacious and offensive photographs of the complainant/petitioner in the social media platforms and at the society at large and will ruin the reputation and life of the complainant/petitioner in the society.

4. That, apprehending loss of her social repute in the society, the complainant/petitioner was then compelled to pay the accused person/opposite party no. 1 all the amount of money as demanded by him time to time.

5. That, till date the accused person/opposite party no. 1 has forcibly extorted an amount of Rs. 5 lacs in cash from the complainant/petitioner by blackmailing her against those obscene photographs of the complainant/petitioner discreetly captured by the accused person/opposite party no. 1, for which the complainant/petitioner had to even sell her gold ornaments in order to meet his quench for thirst of money.

Solemnly Affirmed & Declared before me on Identification

Kanchan Bhadra
NOTARY
Siliguri



Maahumeta ghor

Filed by
Tanuska Ghosh
Adv

6. That, with efflux of time, the unethical and illegal demand of cash money by the accused person/opposite party no. 1 escalated to such a tune that ultimately, being out of all means and resources to pay him any further, the complainant/petitioner had to finally convey him her inability to pay him any further money in cash.



7. That, after the complainant/petitioner conveyed the accused person/opposite party no. 1 of her inability to pay him any further money for being out of all means and resources, the accused person/opposite party no. 1 forced the complainant/petitioner to have physical relationship with the accused person/opposite party no. 1 against the will and consent of the complainant/petitioner, again under threats to publish and circulate those obscene, indecent, salacious and offensive photographs of the complainant/petitioner in the social media platforms and to ruin her reputation and life in the society.

8. That, as such, in fear of losing her social repute, values and family pedigree, moreso, since the complainant/petitioner is mother of a daughter for whose social reputation the complainant/petitioner was always concerned, the complainant/petitioner was compelled to surrender herself to the lust of the accused person/opposite party no. 1 and the accused person/opposite party no. 1 has ravished the complainant/ petitioner time and again against her consent. The accused person/opposite party no. 1 raped the complainant/petitioner against her will and consent countless times by blackmailing her.

9. That, as days rolled by, the accused person/opposite party no. 1 started pressuring the complainant/petitioner to dance as per his tune and dictum in every sphere under threats to publish and circulate those obscene, indecent, salacious and offensive photographs of the complainant/

Solemnly Affirmed & Declared before me on Identification

Kanchan Bhadrin
Kanchan Bhadrin
NOTARY
Siliguri



Madhumita Ghosh

Filed by
Tapan Ghosh
Adv/Sg



petitioner in the social media platforms and to ruin her reputation and life in the society. The accused person/opposite party no. 1 even forced and compelled the complainant/petitioner to give him access of her ATM cards, mobile phones and other social media account login ids and passwords. The accused person/opposite party no. 1 withdrew huge amounts of money from the bank accounts of the complainant/petitioner by using her ATM cards without her consent and knowledge. The accused person/opposite party no. 1 hacked the cctv system of the house of the complainant/petitioner at Akshi, Mother Teresa Sarani, South Babupara, Near Babupara Boys Club, Post Office -Siliguri Town, under Siliguri Police Station, District -Darjeeling, and threatened the complainant/petitioner that if she ever dares to refuse his demands of physical relationships and money then he will easily murder her husband and daughter, for which the complainant/petitioner got severely scared and became a puppet of his evil desires. The accused person/opposite party no. 1 under threats to publish and circulate those obscene, indecent, salacious and offensive photographs of the complainant/petitioner in the social media platforms, forcibly compelled the complainant/petitioner to go to Kolkata with him and thereafter, the accused person/opposite party no. 1 coercively kept the complainant/petitioner under his captivity for several days in Kolkata and committed rape upon her numerous times against her will and consent.

10. That, finally on 02.04.2022, when the complainant/petitioner could not endure any more, she refused to bow down to the immoral demands of the accused person/opposite party no. 1 any further, whereupon, the accused person/opposite party no. 1 send all those offensive pictures of the complainant/petitioner to his

I solemnly Affirmed & Declared before me on Identification

Kaanchan Bhadra
NOTARY



Madhumita Ghosh

filed by -
Tapan Ghosh
Adv/Sy

mother's mobile phone through WhatsApp messages and then his mother, being the accused person/opposite party no. 2 of this instant petition, who has also taken active part in this conspiracy for extortion of money by blackmailing the complainant/petitioner, has clandestinely sent those offensive pictures to the mobile phone of the husband of the complainant/petitioner as well as to some other persons through several social media platforms. The accused person/opposite party no. 1 also transmitted and published all such offensive pictures of the complainant/petitioner through several social media platforms to several other persons.



11. That, after all these incidents, since the complainant/petitioner could not face the society at her neighbourhood, she was compelled to leave Siliguri and took shelter at 128/A, Sarat Ghosh Garden Road, Chirag Apartment, 1st Block, 1st Floor, under Police Station -Kasba, Kolkata -700031.

12. That, due to such untoward incidents, the complainant/petitioner was mentally shattered and got completely traumatized and it took some time for her to recover a little from the mental shock and trauma she suffered.

13. That, after recovering a bit from the mental shock and trauma suffered by the complainant/ petitioner due to the aforesaid incidents, the complainant/ petitioner came back to Siliguri and went to Cyber Crime Police Station and Siliguri Police Station under Siliguri Metropolitan Police to lodge this instant complaint but the Officer on duty/ the concerned authority present thereat refused to accept any written complaint from the complainant/petitioner, as such, left with no other alternative, thereafter the

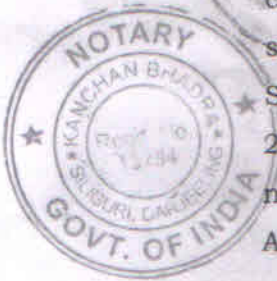
Solemnly Affirmed & Verified before me on Identification

Ranjan Chandra
NOTARY
Siliguri



Madhumita Ghosh

filed by
Tapan Ghosh
Adv. Sg.



complainant/petitioner was constrained to lodge her afore stated grievances before the Commissioner of Police of Siliguri Metropolitan Police by a written complaint dated 23.04.2022 but still neither the law has been set in motion nor there has been any positive response from the Police Authorities.

14. That, the complainant/petitioner has approached to lodge her grievances before the Inspector -in -Charge of Cyber Crime Police Station as well as before the Inspector - in -Charge of Siliguri Police Station under Siliguri Metropolitan Police and also before the Commissioner of Police of Siliguri Metropolitan Police but was refused from there and nobody paid any heed to her cries.
15. That, the accused persons have committed offences punishable under Sections 354 C/ 376/ 384/ 506/ 120 B of the Indian Penal Code read with Sections 66 E/ 67/ 67 A of the Information Technology Act, 2000.
16. That, it is submitted, the offences committed by the miscreant accused persons are much grave and serious in nature and the cause of justice will be frustrated if there be any delay in commencement of proper investigation of the same.
17. That, dissatisfied with the conduct with the investigating agency and finding no other alternative to save the delay capable of frustrating whole cause of justice, your petitioner begs to move this Ld. Court.
18. That this application is made *bona -fide* and for the end of justice.

solemnly Affirmed & Declared
before me on Identifier

Kanchan Bhadra
NOTARY
Siliguri

In the premises, it is humbly prayed that
Your Honour would be graciously pleased
to direct the Inspector -in -Charge of Cyber



Crime Police Station under Siliguri Metropolitan Police to take cognizance of the offences enumerated herein above and to set criminal law in motion treating this petition as First Information Report and start specific case under relevant sections of the law of the land and pass such other/others order/ orders as your Honour may deem fit and proper.

And for this act of kindness your petitioner, as duty bound shall ever pray.

AFFIDAVIT

I, Smt. Madhumita Ghosh, Wife of Shri Suwendu Ghosh, aged about 40 years, Hindu by faith, Business by occupation, permanent resident of Akshi, Mother Teresa Sarani, South Babupara, Near Babupara Boys Club, Post Office -Siliguri Town, under Siliguri Police Station, District -Darjeeling, do hereby solemnly affirm and state as follows:

1. That, I am the petitioner above named and I know the facts and circumstances of the case.
2. That, the statements made in paragraphs 1 to 14 hereinabove in the petition are true to my knowledge and the rest are my humble submissions and prayers before this Ld. Court.

I sign this affidavit on this the 28th day of April, 2022 at Siliguri.

Solemnly Affirmed & Declares before me on Identicalities

Kanchan Bhadra
NOTARY
Siliguri

Madhumita Ghosh.

Deponent

Identified by me.

Tarun Sharma

Advocate, Siliguri.

AFFIDAVIT
Solemnly Affirmed before me
By *Madhumita Ghosh*
Of *Siliguri*
Identified by *Tarun Sharma*
This the 28th of April 2022

Filed by

IN THE COURT OF THE LD. ADDL. CHIEF JUDICIAL MAGISTRATE,
AT SILIGURI

Ref:- MISC. Petition No. of 2022



Smt. Madhumita Ghosh.
... Complainant.

vs.

1. Supratim Paul.
2. Sabita Paul.

... Accused persons/
Opposite Party.

List of documents filed on behalf of the above
named complainant.

- ① Photocopy of Complaint dated 23.01.2022.