

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

Dist. SK P.S. Pradhannagar Year 2022 FIR No. 341/22 Date 09.05.22
 (i) Act IPC Sections 417/427/188/379/506/34
 (ii) Act Sections _____ (iv) Others Acts & Sections _____

(a) Occurrence of Offence : Day _____ Date From Sine long Date To _____
 Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 09.05.22 Time 22:20 hr
 (c) General Diary Reference : Entry No.(s) 654 Time 29:20 hrs
 Type of Information: Written Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. _____
 (b) Address Land situated at Ujan Mouza, Pradhannagar Dist. Dajeling Beat No. _____
 (c) In case outside limit of this Police Station, then the

Name of the P.S. _____ District _____

Complainant / Informant:

(a) Name Si. Labita Saha @ Danu
 (b) Father's / Husband's Name S/o. Si. Biswanath Saha
 (c) Date / Year of Birth: _____ (d) Nationality Indian
 (e) Passport No. _____ Date of Issue : _____ Place of Issue _____
 (f) Occupation _____

(g) Address Temple Street, Malloqui, P.S. Pradhannagar Dist. Dajeling

Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary) : 1 Dulal Chakraborty s/o. H. Achinta Chakraborty of Shiv Nagar Dajeling more ps. Pradhannagar Dist - Dajeling @ kyo of Chakraborty @ kyoel Chakraborty both daughter of Dulal Chakraborty @ Hiti Chakraborty s/o. Dulal Chakraborty all of do. @ Bankim Bhattachajee of Normada Baglan ps. Pradhannagar Dist. Dajeling @ Shankar Banerjee @ Lattu owner of Peacock Sen of Malloqui ps. Pradhannagar Dist. Dajeling @ Debasi Shali of Bidhan Pally, Shiv Mandi @ Subrata of Shiv Mandi @ Son of Panehani

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

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 which is treated as FIR is enclosed herewith

Action taken : Since the above report reveals commissions of offence(s) as mentioned at item No. 2, registered the case and took up to the investigation / directed SI Dipankar Goswami 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.

Signature / Thumb Impression of the Complainant / Informant: Noted in written Complaint
 Date & Time of despatch to the court: 01.10.08.22
 Signature of the Officer-in-Charge, Police Station: [Signature]
 Name: Saha Rank: SI of Police Station
 Date: 09.05.22

To,
The Inspector-In-Charge,
Pradhannagar Police Station,
Pradhannagar,
Dist. Darjeeling.

Date:- 09/05/2022

Sub:- Written Complaint against 1. Dulal Chakraborty, S/o Lt. Achinta Chakraborty of Shiv Nagar, Darjeeling more, Dist. Darjeeling. 2. Keya Chakraborty, D/o Dulal Chakraborty, of Shin Nagar, Darjeeling more, Dist. Darjeeling. 3. Koyel Chakraborty, D/o Dulal Chakraborty of Shin Nagar, Darjeeling more, Dist. Darjeeling. 4. Priti Chakraborty, W/o Dulal Chakraborty of Shiv Nagar, Darjeeling more, Dist. Darjeeling. 5. Bankim Bhattacharjee, of Narmada Baghan, P.S. Pardhan Nagar, Dist- Darjeeling. 6. Shankar Banerjee @ Laltu (Ph. No. 98324-92704), owner of Peacock Den of Mallaguri, P.S. Pradhannagar. 7. Debasish Dhall (Ph. No. 98324-80087) of Bidhan Pally, Shiv Mandir. 8. Subrata of Shiv Mandir (Ph. No. 62946-72199). 9. Son of Panchami and alongwith other more land mafia.

Respected Sir,

With due respect I Sri Sabitra Saha @ Danu, S/o Sri Biswanath Saha, Presently residing at Temple Street, Mallaguri, P.O. & P.S. Pardhan Nagar, Dist- Darjeeling, would like to draw your kind attention to the following effect that my father Biswanath Saha, S/o Late Laxman Saha became the owner of the plot of Land measuring about 60 Kattha in Plot Nos. 13,26/3 and 27/1 comprising C. S. Plot No. 44 & 45, Ujanu Mouza, Touzi 91, Khatian No. 19, J. L. No. 108, New J. L. No. 86 by virtue of a four sale deeds being Nos. I. 5919 for the year of 1983, II. 5920 for the year of 1983, III. 5921 for the year of 1983 and IV. 5147 for the year of 1983 respectively, the photocopy of 4 nos deeds are annexed with this complaint as (Annexure - A).

That the above mentioned landed property originally belongs to one Balu Sahani who acquired the land measuring about 1.63 acre with right, title and interest of the same by virtue of settlement/ deed of patta, dated. 05.05.1972 in his favour and became the absolute owner of the said land having heritable, transferable, right, title and interest thereof as Rayot. Thereafter said Balu Sahani on 16.01.1981 out of 1.63 acre sold and transferred 0.3625 acre of land to one Chittaranjan Das and 0.37 acre to one Jagannath Ghosh by virtue of two separate registered deed of sale. Thereafter they sold and transferred the said land to and in favour of my father by four sale deeds bearing registration numbers i. 5147 dated. 08.04.1983, ii. 5921 dated 22.09.1983, iii. 5919 dated 17.09.1983, iv. 5920 dated. 23.09.1983 respectively. That after purchase my father used to enjoy the said land with his full right, title and interest therein. It is to be mentioned that a suit being a O.C suit number 79/83 was instituted by my father against the Govt. of West Bengal and others as the patta/ settlement of Balu Sahani was attempted to be cancelled on behalf of the state and the Ld. Munsiff Siliguri decreed the said suit in favour of my father on 27.04.1998 in a contested one in between the parties

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Received on
09-05-22 at
22:20 hrs vide
P.N.A. Case No
654 dt-09-05-22
And stated P.N.
P.N. Case No-
241/22 dt-09-05-22
G/S-447/427/188/
379/506/34 P
And directed to
SI Dipankar
Goswami to
investigate the
Case -
D/hm
09/05/22
Inspector-In-Charge
Pradhannagar P.S.
Siliguri Police Commissioner's Office

and the said judgment and decree attained finality as there was no appeal was against the said judgment and decree, the photocopy said Judgment is annexed with this complaint as (Annexure -B).

That thereafter my father while in his full enjoyment of the entire property having his right, title and interest since his purchase in the year 1983 erected pucca boundary wall with big gate for entrance and exit also constructed 3 godown, 4 numbers of office rooms, 1 shop room namely saha enterprises along with water facilities, toilet etc. and also took electric connection from WBECDC, Siliguri. The shop room under the name and style as "Saha enterprises" is running by me and dealing with hardware materials. The four rooms of us were allowed to use, to Dulal Chakraborty by my father to use for his business purpose only with a condition to leave and vacate the same as and when asked for by my father considering his long standing relation and association as caretaker to look after the interest of us. However said Dulal Chakraborty as asked for by my father handed over the said four rooms in favour of my father by a written letter dated. 16.12.2016, the photocopy of said letter, Dated. 16.12.2016 is annexed with this complaint as (Annexure - C).

That within the aforesaid property beside the godown, an office room and shop room on some portion remains large vacant space. That my father as such on the request of Sri. Monoj Prasad, Sri. Arvind Prasad and Sri. Dilip Prasad few years back let out some vacant portion to them to use for their business purpose for storing and selling bricks etc. That the Sri. Monoj Prasad and Sri. Arvind Prasad presently is not there and to left the said spaces. However Sri. Dilip Prasad is still carrying his brick selling business from open space of my father.

That the aforesaid persons although having no right claim or interest in respect of our property but few months back conspiring against me being a land mafia / land grabber to disturb many ways and to occupy our aforesaid landed properties even creating some obstruction in front of the entrance gate of our land, even threatening my tenant Sri. Dilip Prasad to carrying his business from there, from the space used by him and as such Dilip Prasad considering such resistance of threat from the aforesaid persons compelled to informed local P.S and ultimately instituted a suit being T.S No. 96/2022 against the aforesaid persons before Ld. Civil Judge Junior division Siliguri and upon hearing of an application for temporary injunction Ld. Court was pleased to allow his prayer against the illegal activities of the aforesaid persons and the same is still pending before Ld. Civil Judge junior division court at Siliguri, the photocopy of said order alongwith copy of plaint and Injunction Application is annexed this complaint as(Annexure -D).

It is a matter of regret to state that the aforesaid persons again on 25.04.2022 at around 5:30 P.M. locked the main gate of our land after installing another gate, after several request to open the main gate they are too adamant not to open the same, as a result my tenant again lodged a written complaint before the I/C, Pradhannagar on

Sabitka Saha

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26.04.2022, the photocopy of said written complaint is annexed with this complaint as (Annexure-E).

That the aforesaid persons having their no right, title and possession of the aforesaid property which is exclusively belong to my father but continuously conspiring together to occupy the same by creating different act and activities and to take forceful/wrongful possession therein and ultimately on 08.03.2022 at night hours in my absence most illegally trespassed into our property and started digging earth at different places of the vacant space and also installing some readymade pillars there and threatening us with dire consequences, thereby dispossessed us from our land mentioned above breaking the locks of 4 numbers of office rooms and 2 numbers of godown and stolen near about 51 bags of cements and rods and taking possession of remaining space and thereby dispossessed us from our prior possession most illegally and wrongfully occupied the same. Finding no other alternative I rushed to the I.C Pradhan Nagar P.S to inform the matter but Pradhannagar P.S. refused to accept the same telling me to go to the civil court and bring order from there otherwise he is unable to do anything.

That the aforesaid land mafias not only dispossessed us from our property but also continuously threatening us as well as to my tenant Dilip Prasad, disclosing that in respect of their use, occupation, enjoyment and possession of our land and the aforesaid two daughter of Dulal Chakraborty being a Land Mafia disclosed that they have strong channel to procure necessary documents in respect of our land to proof their possession and by any means they will evict from our land. Finding no other alternative I filed a suit against the Dulal Chakraborty and his persons to restore our lawful right and possession in respect of our property evicting them from there and also to restrain them from making any addition or alteration or from using the same and anyway by damaging the same by changing the nature and the character of the property, and Ld. Court accordingly issued summons in the name of Land mafia Dulal Chakraborty and his persons in respect of Title Suit No. 110/2022, the photocopy of Plaintiff and Injunction Application of Title Suit No. 110/2022 is annexed herewith as (Annexure -F).

That on 21.03.2022 I have lodged a written complaint against the aforesaid person before the I.C Pradhan Nagar and commissioner of police, SPC for their illegal acts and activities, the photocopy of said written complaint is annexed with this complaint as (Annexure - G). However the aforesaid persons till now continuing their illegal acts and activities and 25.04.2022 the aforesaid person most arbitrarily and illegally demolished some portion of our boundary wall and installed a new gate and also installed CCTV in our land and many land mafias are roaming inside our land and said Dulal Chakraborty told me that many leaders of ruling party and police person are in his pocket and after hearing the same I became too depressed and thereafter on 02.05.2022 I lodged a written complaint before the I/C, Pradhannagar P.S., being PDN PS. GDE No. 92, Dated. 02.05.2022, the photocopy of written complaint, Dated. 02.05.2022 is

Subitha Saha

annexed with this complaint as (Annexure - H). It is pertinent to mentioned here that Vide E No. 619172 of Khajna receipt dated. 17.06.1986 said Dulal Chakraborty (now land mafia) being a caretaker of my father deposited rent in respect of our aforesaid land in the name of my father, the photocopy of said Khajna Receipt is annexed this complaint and also annexed one photocopy of Siliguri Municipal Corporation holding tax receipt vide Holding No. 113/2142, Dated. 18.02.2022, and also annexed one photocopy of Electric Bill in the name of my father, being Consumer ID. No. 412014836 issued by WBSEDCL alongwith two Letter Dated. 16.02.2022 and 23.03.2022 as (Annexure - I).

The aforesaid persons also stopped our drinking water and the aforesaid persons used to spray poisonous substances nearby our shop, as a result I felt suffocation and used to start breathing problems and they also kept several materials as like piece of red cloth with coconut, several types of bone, etc for black magic purpose, and the aforesaid two daughters of Dulal Chakraborty used to tell we alongwith our family will die and for this reason they will perform home sacrifice. We are two brothers are patient of severe diabetic and my father is seriously ill and presently he is totally blind, the photocopy of Orthopaedically Handicapped Certificate is annexed herewith this complaint as (Annexure - J). Aforesaid Dulal Chakraborty informed me had easy access in our family as who look after our aforesaid land and he also put his signature one of our sale deed as witness and taking the said advantage some original documents like sale deed being No. 5920 for the year of 1983, some court papers and so many documents in respect of our lands are probably stolen by him, because my father is also a patient of Alzheimer who stated few days back aforesaid Dulal Chakraborty used to keep our land papers in his custody.

Being a caretaker or employee under my father and entrusted by my father in such capacity with property or with any dominion over the aforesaid property, the aforesaid Dulal Chakraborty, now being a land mafia and other aforesaid land mafia committed breach of trust in respect of our property.

Therefore my humble submission is that to look after the present issue of me as per law because my father is old age ailing person and lost his vision and on good faith who gave shelter said Dulal Chakraborty in our land to look after as care taker and taking the advantage of old age condition of my father aforesaid Dualal Chakraborty and other persons is trying to grab our entire land as land mafia.

Your's Faithfully,

Sabitra Saha

(SABITRA SAHA @ DANU)
Ph. 98320-65979