

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

5462



P.S. Pradhannagar Year 2022 FIR No. 582/22 Date 01.08.22
Sections 406/420/468/474/506/34/10 Sections
(iii) Act (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Date From since long Date To fill date 22.06.22
Time Period Time From Time To

(b) Information received at P.S. Date 01.08.22 Time 18:45h

(c) General Diary Reference : Entry No(s) 54 Time 18:45h

4. Type of Information : Written Written / Oral

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

(b) Address land measuring 5 katha, having Plot No-677 of Moriya Sotigui T.L.No. 110(88) Pousi No. 3 (JA) Pargana Baikunthapur within w/no. 02 of SMC Sotigui Dist. Dajepur

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

6. Complainant / Informant :

(a) Name Sri Pradi Chowdhury

(b) Father's / Husband's Name S/o. U. Phorindra Nath Chowdhury

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

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

(f) Occupation

(g) Address Baghajatin colony, P.O. & P.S. Pradhannagar Dist. Dajepur

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

(Attach separate sheet, if necessary) 1) Sri Shyamal Saha s/o. Bagadish Saha 2) Smt. Saspara Saha w/o. Shyamal Saha 3) Miss Subarana Saha @ Bulti s/o Sri Shyamal Saha all are of 2/8 Baghajatin colony P.O. & P.S. Pradhannagar Dist. Dajepur 4) Sri Anup Pradhan @ Babuona s/o of known of complainant resident of Pradhannagar P.O. & P.S. Pradhannagar Dist. Dajepur

8. Reasons for delay in reporting by the Complainant / Informant Dist. Dajepur

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 of the complainant which is treated as FIR is enclosed herewith

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 Pratap Barak 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 of the Complainant / Informant Noted in written complaint. Signature of the Officer-in-Charge, Police Station [Signature] Inspector-in-charge Pradhannagar Police Station

Name : Dipankar Chatterjee Rank : No. SI of Police P.O. & P.S. Pradhannagar Dist. Dajepur

15. Date & Time of despatch to the court : 01.08.22



Pradip Chowdhury

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



Ref: - Misc. Petition Case No. 23/ of 2022.

IN THE MATTER OF:-

An Application Under Section - 156(3) of Cr.P.C.

IN THE MATTER OF:-

SRI PRADIP CHOWDHURY

Son of Late Phonindranath Chowdhury, Resident of Baghajatin Colony, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling.

----- Complainant

Vs.

1. **SRI SHYAMAL SAHA**
Son of Jagadish Saha,
2. **SMT. SWAPNA SAHA**
Wife of Sri Shyamal Saha,
3. **MISS SUBARNA SAHA @ BULTI**
Daughter of Sri Shyamal Saha,
All are resident of 2/8 Baghajatin Colony, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling.
4. **SRI ARUP PRADHAN @ BABUSONA**
Son of Unknown to the Complainant, Resident of Pradhan Nagar, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling.
5. **OTHERS**

----- Accused Persons

OFFENCE COMMITTED:-

Under Section - 420 / 406 / 465 / 467 / 468 / 471 / 387 / 506 / 120B / 34 of I.P.C.

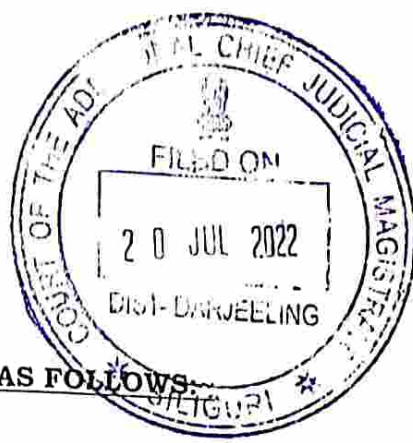
DATE, TIME AND PLACE OF OFFENCE:-

Since in the year of 2018 and on different dates and times and recently on 22.06.2022 at about 08.30 P.M. and till now within the jurisdiction of Pradhan Nagar Police Station,

Nabendu Narayan Dutta
Notary Govt. of India
Siliguri, Darjeeling



Pradip Choudhary



THE COMPLAINANT BEGS TO STATE AS FOLLOWS:

1. That the Complainant is a peace loving and law abiding citizen of India, having permanent residential address as mentioned aforesaid.
2. That the Complainant is a business person and he has been carrying on a business of Sales and Purchase of Second Hand used vehicles under the name and style as "Ambay Car House" on and from his business place at Pradhan Nagar, Baghajatin Colony Main Road, Opp. 2/5, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling since in the month of November, 2006.
3. That during continuation of the aforesaid business, the Complainant took a shop measuring about 7 X 12 ft. from the Accused No. 1 on monthly rental basis and after occupying the said shop on rent, he has been carrying a office of his said business on and from the said shop room and he has also been paying the monthly rent to the shop owner time to time. It is pertinent to mention here that since in the year of 2006, the Complainant has been possessing and occupying a piece and parcel of land measuring 5 Kathas, appertaining to and forming part of Plot No. 677, recorded in R.S. Khatian No. 417/1 corresponding to L.R. Khatian No. 4155, of Mouza - Siliguri, J.L. No. 110(88), Touzi No. 3(Ja), Pargana - Baikunthapur, within the Ward No. 02 of Siliguri Municipal Corporation, Siliguri, under the Police Station - Siliguri, Dist. Darjeeling, constructed with tin shaded structure covering the entire land, which is situated back side of his said shop room and the Complainant used to park and display his second hand vehicles on the said land for his business purpose and initially, there was no problem from any corner whatsoever.
4. That thereafter, in the month of October, 2016, one person namely Keshav Prasad Pradhan, Son of Purna Prasad Pradhan, Resident of Ektiashal, P.O. Ektiashal, P.S. Bhaktinagar, Dist. Jalpaiguri came to the Complainant and told him that he is the bonafide owner of the said land and after going through the valid documents with respect to the said land, the Complainant came to know that said Keshav Prasad Pradhan is the recorded owner of the said land and accordingly, the Complainant approached him to purchase the said land on a valuable consideration amount of Rs. 80 Lakhs and on being satisfied with the said amount, said Keshav Prasad Pradhan has also agreed to sell out the land in favour of the Complainant and accordingly, on 25.10.2016, said Keshav Prasad Pradhan executed a Deed of Sale in favour of the Complainant with respect to the said land being Document No. I-2381 for the year of 2016 and since then, he has been occupying and possessing the

Nabendu Narayan Dutt
Notary Govt. of India
Siliguri, Darjeeling



Pradip Choudhury



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aforesaid land in his actual khas and physical possession, having right, title and interest therein, free from all encumbrances and charges whatsoever.

5. That thereafter in order to develop and renovate the said business, the Complainant took a loan of Rs. 95 Lakhs from the then United Bank of India, Sevoke Road Branch, Siliguri after mortgaging his original Title Deed being No. I-2381 for the year of 2016 before the concerned bank and after obtaining the said loan, he has completely renovated his said shop room cum workshop on the aforesaid land and used to carry his said business peacefully without any interruption from any corner whatsoever.
6. That suddenly in the year of 2018, some local land grabbers and anti-social persons under the leadership of the Accused Persons above named, have started to create disturbance on the aforesaid land of the Complainant for their wrongful and illegal gain but as the Complainant wants to carry his said business peacefully, he did not make any protest against them but day by day, they are became furious and started to threaten him with dire consequences by saying that if he wants to carry his said business on and from the said area, the Complainant has to pay a huge amount to them otherwise, they will not hesitate to grab the entire land of the Complainant in their possession forcefully as they have very good nexus with the anti-social persons of the locality which the Complainant refused and thereafter, **the Accused Persons have made a false claim upon the aforesaid land of the Complainant by preparing a forged Deed in the name of the Accused No. 2 who is the wife of the Accused No. 1 and intentionally used the said forged documents as genuine one knowingly well that the said documents is forged and converted the same into a valuable security.**
7. That ultimately, on 11.11.2018, the Accused Persons with the help of their engaged anti-social persons again entered into the aforesaid land of the Complainant by using criminal force against him and also assaulted him physically and when the Complainant started to shout upon them, some local peoples gathered there and seeing the said situation, the Accused Persons fled away from the spot and soon after the said incident, he has lodged a written complaint before the I.C. of Pradhan Nagar P.S. against the Accused No. 1 & 2 and also filed a Suit for Declaration, Injunction and other consequential relief vide Title Suit No. 270 of 2018 before the Ld. Civil Judge (Jr. Dv.) at Siliguri and after hearing, Ld. Court was pleased to pass Injunction Order in favour of the Complainant and the said case is still pending before the Court of

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Nabendu Narayan Gupta
Notary Govt. of India
Siliguri, Darjeeling



Prabhat Choudhary



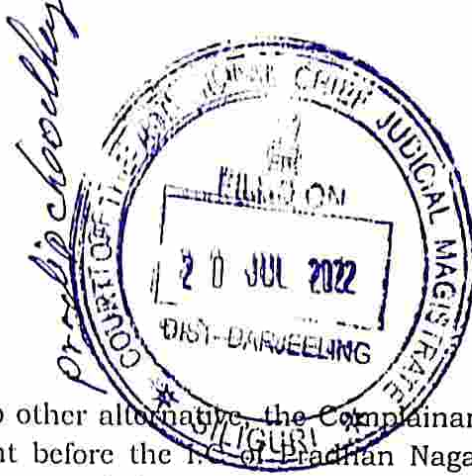
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8. That in order to harass the Complainant and also to safeguard the Accused Persons, the Accused No. 2 has lodged several false complaints against the Complainant and others claiming that she is the owner of the said land by using the said forged Deed though, it is very much within her knowledge that she has no right, title and interest in and over the said land and at present, the Complainant is on Court Bail in the said case and thereafter, she has also filed two separate suits before the Civil Judge (Sr. Dv.) at Siliguri vide Declaration Suit No. 102/2021 and Eviction Suit No. 09/2022 with some false and fabricated allegations but still, they did not stop their said illegal acts and activities and always tried to grab the entire property of the Complainant forcefully by using their engaged muscle men and whenever, the Complainant make protest against their said illegal acts, they abused and threatened him with dire consequences but even after the aforesaid illegal acts and activities of the aforesaid Accused Persons, the Complainant tried to keep calm and bypass the matter but every time, they have threatened the Complainant with dire consequences.

9. That suddenly on 22.06.2022 at about 08.30 P.M., the Accused Persons along with some land mafias have visited the place of business of the Complainant with some forged papers and documents and asked the Complainant to vacate his said land immediately and the Accused No. 2 claiming to be the owner of the said land by using the said forged Deed which she prepared, manufactured and obtained illegally in order to fulfill their wrongful and illegal gain and when the Complainant opposed the same, they became more furious and started to assault the Complainant mercilessly and threatened him that if the Complainant will not vacate the said land immediately or pay the amount as per their demand, they will ruin his life permanently and also threatened the Complainant to implicate him in a false case by using the status of a woman and put him behind the iron bar and thereby, they will grab his entire property and sold out the same by using those forged documents to any third party and they have also told the Complainant that they are not at all bother to obey the orders of the Court as they are in good nexus with the high level political and anti-social persons and they have also threatened the Complainant that if he again tried to lodge any complaint against them, they will not hesitate to destroy his life and property permanently.

10. That since then, the Accused Persons have been creating pressure upon the Complainant in order to extort money from him illegally putting him in fear of death and/or grievous hurt.

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Nubendu Narayan Dutta
Notary Govt. of India
Siliguri, Darjeeling



11. That thereafter, finding no other alternative, the Complainant had lodged a written complaint before the I.C. of Pradhan Nagar P.S. narrating the aforesaid facts, and the concerned duty officer has received the copy but no acknowledgement issued in favour of the Complainant and no such action has been taken by the concerned P.S.
12. That thereafter, the Complainant had informed the matter before the Commissioner of Police, Siliguri Police Commissionerate, Siliguri Police Commissionerate, on 02.07.2022 for taking necessary action, but till today no action has been taken by the concerned authority.
13. That presently, the Accused Persons in collusion and conspiracy with each other and also with other known and unknown persons have tried to grab the entire property of the Complainant by preparing, using and presenting the said forged Deeds with an intention to cheat the Complainant and also with a view to misappropriate the entire property of the Complainant by forging some valuable security and thereby committed the offences.
14. That the Complainant further submits that the Accused Persons above named have/had with dishonest intention since in the year of 2018 in preplanned manner and in the manner explain above, the Accused Persons caused wrongful gain to themselves and wrongful loss to the Complainant.
15. That in this manner, the Accused Persons named above, in collusion with each other and some known and unknown persons, have committed the offences of Cheating, Criminal Breach of Trust, Cheating, Forgery, transfer a valuable property and/or security by forging documents, Criminal Conspiracy, Criminal Intimidation and Common Intention and other offences which comes within the purview of different sections of I.P.C.
16. That the Complainant has grave apprehension that the Accused Persons along with other known and unknown persons will temper with evidence and documents.
17. That the Complainant above named, has no other alternative, but to knock your Honour's court to get justice.
18. That the present application is made bonafide and in the interest of justice.

Nabendu Narayan Dutta
Notary Govt. of India
Siliguri, Darjeeling

It is, therefore, prayed that Your Honour would graciously be pleased to admit this application under Section 156(3) of Cr.P.C and further be pleased to direct the I.C. of Pradhan



Pradip Chowdhury



Nagar P.S. to treat this application as an F.I.R. and also direct the I.C. of Pradhan Nagar P.S to investigate into the matter properly in accordance with law and pass such any other order/s as Your Honour may deem fit and proper in the interest of justice.

And for this act of kindness, the Complainant, as in duty bound, shall ever pray.

Pradip Chowdhury

Signature of the Complainant.

Drafted as per instruction of the complainant and the contents of the same have been read over and explained to the complainant by me and after understanding the contents of this petition, the complainant put his signature in my presence.

[Signature]

Advocate, Siliguri.

AFFIDAVIT

I, **SRI PRADIP CHOWDHURY**, Son of Late Phonindranath Chowdhury, Aged about ___ years, Hindu by religion, Business by occupation, Resident of Baghajatin Colony, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, do hereby solemnly affirms and declare as follows:

1. That I am the Complainant in C/W the above noted case and as such I am well acquainted with the facts and circumstances with this case.

That I have lodged a Written Complaint before the Pradhan Nagar Police Station narrating the aforesaid facts and the duty officer of the concerned P.S. received the same but no acknowledge was issued in my favour and till today, no action has been taken by the concerned P.S.

That I have lodged a Written Complaint before the Commissioner of Police, Siliguri Police Commissionerate, on 02.07.2022 but till today no action has been taken against the Accused Persons on the basis of my said complaint.

4. That I swear and sign this affidavit in order to prove and declare the contents of this affidavit.

That the statements made above are true to the best of my knowledge and belief and I sign this affidavit on this the 20th day of July, 2022 at Siliguri.

Pradip Chowdhury

Declarant.

Identified by me.

[Signature]

Advocate, Siliguri.

[Signature]
17/7/22
Nabendu Narayan Dutta
Notary Govt. of India
Siliguri, Darjeeling

AFFIDAVIT

Solemnly Affirmed Before me

By Pradip Chowdhury

of Pradhan Nagar

Identified by P. Sahay

This the 20th day of July, 2022.

Pradip Choudhury



VOKALATNAMA

IN THE COURT OF THE LD. A. C. J. M. AT Siliguri

Ref.: _____ Case/Suit No.: _____ of 2022.

(Arising out of _____ Case/Suit No.: _____ of 20)

Pradip Choudhury

**Plaintiff/ Petitioner/Revisionist
Complainant/Appellant/Petitioner No. 1.**

AND / VERSUS

Shekhar Saha & others.

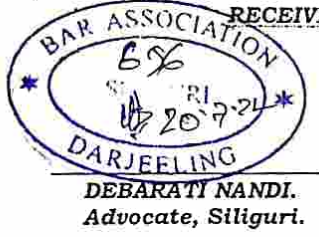
**Defendant/Opposite Party/Respondent
Accused Person/Petitioner No. 2.**

I/we Pradip Choudhury, s/o Late Phoinindranath
Choudhury, Resident of Baghajatin Colony, P.O. & P.S.
Pradhan Nagan Dist - Darjeeling

(W)

the above named Complainant/Petitioners do hereby appoint as my/our true and lawful attorney one or more amongst the under mentioned Advocate/s after duly endorsing acceptance of the instrument, who shall accept this power and appear for me/us in the aforesaid case/s and authorize and empower him/them to do the following acts in the said case on my/our behalf, viz. to put in appearance, to sign & file all plaints, objections, written statements, compromise petitions and appeals, revisions and other applications/petitions and to file documents and other papers and to effect compromise/Razinama, to represent Under Section - 317 Cr. P.C., to refer the matter to arbitration, to withdraw the case, to deposit money in court, to withdraw money and documents from the court or from any office or the opposite party after signing cheques or payment order either in execution of decree or otherwise, to withdraw compensation money from the District Compensation Office and Land Acquisition Office and to perform and do all other acts not specifically named herein which will be deemed necessary for me/our benefit in the circumstances of the case and I/We on my/our part hereby bind myself /ourselves to ratify and confirm as valid all such acts done by the said attorney /attorneys/advocate/s according to the true intent and purpose of these presents. I/We hereby further agree that if any part of Advocates fees remain unpaid before hearing of the case I/We shall be liable to pay the same to the Advocate or Advocate/s.

RECEIVED FROM THE EXECUTANTS AND ACCEPTED BY ME/US.



ADVOCATE/S

Chinmoy Saha

MR. CHINMOY SAHA
Advocate, Siliguri.
WhatsApp No.: 98320-31845.
Email: csassociates2@gmail.com

Pranay Saha

MR. PRANAY SAHA
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Dipankar Ray

MR. DIPANKAR RAY
Advocate, Siliguri.
WhatsApp No.: 81012-13108.

MR. BINAY KR. PRASAD
Advocate, Siliguri.
WhatsApp No.: 73845-48698.

Pradip Chowdhury

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

Ref: - Miso. Petition Case No. _____ of 2022.



SRI PRADIP CHOWDHURY
----- Complainant

Vs.

SRI SHYAMAL SAHA & OTHERS
----- Accused Persons

LIST OF DOCUMENTS FILED FOR AND ON BEHALF OF THE
COMPLAINANT: -

1. Photocopy of the Written Complaint lodged by the Complainant before the I.C. of Pradhan Nagar Police Station against the Accused Persons.
2. Photocopy of the Written Complaint lodged by the Complainant before the Commissioner of Police, Siliguri Police Commissionerate, Siliguri on 02.07.2022 against the Accused Persons.
3. Photocopy of the Title Deed being No. I-2381 for the year of 2016.
4. Photocopy of the Aadhaar Card of the Complainant.

Dated:

Received on 07.08.22 at 18:45 hrs vide
PAN & AOC No. 54 dt 07.08.22 and
registered PAN Ps Case No. 582/22
dt 07.08.22 u/s - 406/420/468/471/
506/34 IPC and endorsed to SI Prabal
Basak to investigate the case.


07/08/22
Inspector-In-charge
Pradhannagar Police Station
Siliguri Police Commissionerate