



## FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

0011

SPL  
JPC

P.S. Matigona Year 2022 FIR No. 861/22 Date 08/08/22

Sections 408/420/34 (ii) Act

Sections

Sections

(iv) Other Acts &amp; Sections

3. (a) Occurrence of Offence : Day Date From 29/05/2019 Date To

Time Period Time From Time To

(b) Information received at P.S. Date 08/08/22 Time 20:40 hrs.

(c) General Diary Reference : Entry No. (s) 416 Time 20:40 m.

4. Type of Information : Written Written/Oral :

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

(b) Address Matija Nema Ps. matigona Dist. Darjeshing

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant :

(a) Name Anil Kumar Gupta

(B) Father's / Husband's Name Ram Shanker Gupta

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

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

(f) Occupation

(g) Address Somabania bazar Front Block P.O. Ps. Somabania Dist. West Midnapur  
P.P. Champaoni Anchal Ps. Pradipdhar Dist. Darjeshing

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

(Attach separate sheet, if necessary):

1) Aditya Narayan Saha

2) Anish Saha

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

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

A piece of land situated at Matija Nema Ps. matigona  
Dist. Darjeshing land measuring 18 dent.

10. Total value of properties stolen / involved

11. Inquest Report / U.D. Case No. If any N/A

12. FIR Contents (Attach separate sheets, if required) The Original written Complaint

Which is treated as FIR is reproduced over leaf 08.8.2022

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. S. Kalipada Barua take up investigation / refuse 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 original ComplaintDate & Time of despatch to the court  
on 09/08/22 at 11:00 m.

Signature of the Officer-in-Charge, Police Station

Officer-in-Charge  
Name P. K. Saha  
Rank SI of Police Station  
08.8.2022



Received on 08/08/22 at 20:40 hrs vide M.T.G PS GDE  
no-416 and stated M.T.G PS case 361/22 d.d. 08/08/22 of  
406/420/34 2PC and endorsed to SI Kalipada Barmain  
for its investigation.

Date: 08.08.2022

To,  
The Officer-in-Charge,  
Matigara Police Station,  
Matigara, Dist. Darjeeling.

  
08.8.2022  
Officer in-charge  
Matigara Police Station  
Siliguri Police Commissionerate

**Sub: Written complaint against Aditya Narayan Saha, Asish Kumar Saha and Santosh Kumar Gupta, for illegally selling my land and thereby also misappropriating the sale proceeds of the land.**

Sir,

I, ANIL KUMAR GUPTA, Son of Sri Rama Shankar Gupta, permanent resident of Upper Thambong, Opp. SNT Parking, Sombaria Bazar, Sombaria Forest Block, P.O. & P.S. Sombaria, Dist. West Sikkim, in the State of Sikkim and presently residing at Naya Busty Anchal, Champasari, under P.S. Pradhan Nagar, Dist. Darjeeling hereby would like to inform you and report you the following:

That on 30<sup>th</sup> day of May, 2016, I have purchased for valuable consideration a piece or parcel of land measuring 18 decimals, within Mouza Nimai, under P.S. Matigara, Dist. Darjeeling (as particularly mentioned in the Schedule below) from one Sri Radheshyam Agarwala, S/o Late Bihari Lal Agarwala, through a Deed of Conveyance being document No. I- 4024 for the year 2016 registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. And after purchasing the aforesaid land I have also got my name mutated and recorded in the L.R. R.O.R. vide L.R. Khatian No. 1261 in respect of the above purchased land.

That it is mentioned here that I have purchased the said land through my one close relative namely ADITYA NARAYAN SAHA, S/o Late Gajadhar Saha, permanent resident of Nehru Road, Khal para, Siliguri, Dist. Darjeeling and presently residing at Medical More, opposite Amit Tower building, under P.S. Matigara, Dist. Darjeeling, who happens to be the husband of my own cousin sister (i.e. maternal uncle's daughter) namely Smt. Sheela Gupta, D/o Late Shyamlal Prasad Gupta and as I am a permanent resident of the State of Sikkim thus I had entrusted said Aditya Narayan Saha to look after the said land on my behalf after purchasing the same as stated above and at the request of said Aditya Narayan Saha I had even handed over to him my entire file for the said purchased land including my original title deed, chain deed, khatian etc. and thereafter furthermore in this process on 06.02.2019 I had also executed one General Power of Attorney in favour of said Aditya Narayan Saha in respect of my said land being document No. IV- 147 for the year 2019 registered at the office of the A.D.S.R. Siliguri-II at Bagdogra.

That thereafter in the month of May, 2019 I got some credible information over telephone from some of my well-wisher in Siliguri that said Aditya Narayan Saha may misuse the said General Power of Attorney for his own unlawful gain. Thereafter on 21.05.2019 I had revoked the said General Power of Attorney by executing a Deed of Revocation of Power of



Attorney and presenting the same before the A.D.S.R. Siliguri-II at Bagdogra which was finally registered on 29.05.2019 by the said office being document No. IV- 541 for the year 2019. It is mentioned here that soon after execution of the said revocation deed I had verbally informed said Aditya Narayan Saha not to act upon any further on the basis of said power of attorney as I have already revoked the said registered power of attorney on 21.05.2019 as stated above.

But recently in the first week of July, 2022 I have come to know that one Santosh Kumar Gupta, S/o Late Bhirgu Prasad Gupta, resident of Jyoti Nagar Colony, near Champasari More, under P.S. Pradhan Nagar, Dist. Darjeeling, is wrongfully occupying my said below scheduled land and also constructing some shop rooms at the front side of the said land and when I reached the spot and made enquiry in the matter then the representative of said Santosh Kumar Gupta who was present there at that time told me that his master Santosh Kumar Gupta has purchased the land in the year 2020 from one ASHISH SAHA, S/o Aditya Narayan Saha through a registered deed and now he is the owner of the land. Thereafter I through my advocate conducted searching in this respect and from the said searching it is revealed that on 29<sup>th</sup> day of May, 2019 said Aditya Narayan Saha most illegally executed a Deed of Sale being document No. I- 2933 for the year 2019 which was registered at the office of the A.D.S.R. Siliguri-II at Bagdogra on 30.05.2019, and thereby sold my below scheduled land in favour of his own son namely ASHISH SAHA, resident of Manturam Road, Siliguri, P.O. Siliguri Bazar, P.S. Siliguri, Dist. Darjeeling for a purported consideration price of Rs.29,00,000/- only. And thereafter said Ashish Saha on 21<sup>st</sup> day of September, 2020 had sold the entire below scheduled land in favour of said Santosh Kumar Gupta, through a Deed of Conveyance being document No. I- 3235 for the year 2020 registered at the office of the A.D.S.R. Siliguri-II at Bagdogra, for a consideration price of sum of Rs.30,63,000/- only claiming himself as the absolute owner of the said entire land.

Sir, in spite of cancellation of the said General Power of Attorney, the above named Aditya Narayan Saha first of all most illegally and unethically executed the aforesaid Sale Deed being No. I- 2933 for the year 2019 in favour of his own son namely Ashish Saha and thereafter again sold the said land through his said son in favour of said Santosh Kumar Gupta, through a Deed of Conveyance being document No. I- 3235 for the year 2020 as mentioned above. The said Sale Deed being No. I- 2933 for the year 2019 was executed on the basis of an invalid General Power of Attorney which was inoperable at that relevant time and as such no valid right, title and interest was conveyed through the said Sale Deed being No. I- 2933 for the year 2019 and in the similar way no valid right, title and interest was also passed to said Santosh Kumar Gupta through the said Deed of Conveyance being document No. I- 3235 for the year 2020 as mentioned herein above in respect of the below scheduled land. Even more in the said General Power of Attorney at Page No.3 in paragraph No.5 it was categorically mentioned that said Aditya Narayan Saha must make the refund of the consideration price in my bank account in the event of any transaction made in respect of my below scheduled land. But in this case not a single penny was credited to my bank account by said Aditya Narayan Saha or the transferee of the land at any material time although he had purportedly sold the said land to his said son Ashish Saha for a consideration price of

And Mr Gupta

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Rs 29,00,000/- only and thereafter again through his said son sold my said land to said Santosh Kumar Gupta for a consideration price of sum of Rs 30,63,000/- only as already mentioned herein above. Thereafter even more I have also personally spoke to said Santosh Kumar Gupta and brought to his notice all the facts as stated above and requested him to immediately stop the construction works in my below scheduled land and also to quit and vacate my said below scheduled land but said Santosh Kumar Gupta did not pay any heed to my such request and refused to stop the construction work.

Sir, I had in complete good faith entrusted said Aditya Narayan Saha to look after my said below scheduled land but even after revocation of the said General Power of Attorney by me, said Aditya Narayan Saha in connivance with his said son Ashsish Saha and said Santosh Kumar Gupta, acted corruptly and dishonestly and thereby deceived me and cheated me and also misappropriated the entire amount realized from the sale proceed of my said below scheduled land for their own illegal gain and thereby caused me immense wrongful financial loss and it is also noted here that said Santosh Kumar Gupta is now making attempt to sell the shop rooms constructed at the front side of my land in favour of third party/intending purchasers but even after my request he did not stop his construction works.

Sir, in view of above, I, therefore most humbly request you to kindly immediately take strong and appropriate steps against said Aditya Narayan Saha, his son Ashsish Saha and said Santosh Kumar Gupta and prosecute them before the court of law as per legal provisions.

#### SCHEDULE OF THE LAND

All that piece or parcel of land measuring 18 decimals or 0.18 Acre appertaining to and forming part of R.S. Plot No.248 corresponding to L.R. Plot No.384 (area measuring 0.11 Acre) and L.R. Plot No.385 (area measuring 0.07 Acre), recorded in Khatian No.450 (R.S.); 1261 (L.R.), within Mouza Nimai, Pargana Patharghata, J.L. No.57, Touzi No. 91(8), Patharghata Gram Panchayat area, under P.S. Matigara, Dist. Darjeeling.

The said land is butted and bounded as follows:

By North	:	Land of Anjay Gupta and 20 feet wide non-metal road;
By South	:	Land of Kalyan Pradhan and Uttam Barman;
By East	:	P.W.D. Road;
By West	:	Land of Kalyan Pradhan and Anjay Gupta.

Thanking you.

Yours faithfully,

*Anil Kumar Gupta*

[ANIL KUMAR GUPTA]

Mobile No. 9734911333

*Anil Kumar Gupta*