

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



P.S. Darjeeling Siliguri Year 2022 FIR No. 897/22 Date 29.09.22

Sections 65/66/GCA/GCE/G7A (iv) Others Acts & Sections Information Technology Act 2008

3. (a) Occurrence of Offence : Day Date From Since 2020 Date To Time Period Time From Time To

(b) Information received at P.S. Date on 29.09.2022 Time at 12:45 Pms

(c) General Diary Reference : Entry No(s) 1673 Time 29-09-2022 12:45 Pm.

4. Type of Information : Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 3.2 K.M North Beat No.

(b) Address Ashoka Complex, Serok Road ps- Siliguri Dist- Darjeeling

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

6. Complainant / Informant :

(a) Name Sri Deepankar Arora

(b) Father's / Husband's Name Sri Bal Krishna Arora

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

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

(f) Occupation Lawyer

(g) Address Ashoka Complex, Serok Road PO+ps- Siliguri Dist- Darjeeling

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

(Attach separate sheet, if necessary) : Smt. Mousumi Barakten D/o- Narayan Chandra Barakten & Subashpally, Netaji Boys School, Siliguri

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 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 As per of OCP (Hd) Sr. Inspector Manik Deb Nath of SCP, Fullbari, SPC will investigation / refused investigation / transferred to P.S. Investigation in Case 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 Siliguri Police Station Name Smt. Smita Saha for Chainability Rank : No. Inspector of Police of Siliguri PS, S.P.C.

15. Date & Time of despatch to the court : on 30.09.22 at 10:45 Pm.

SILIGURI

Misc. Petition Case no. 34 of 22

DIPANKAR ARORA

Versus

SMT. MOUSHUMI BARDHAN



Order dt. 26/09/2022

This is an application u/s. 156(3) Cr.P.C. filed this day by the petitioner duly supported by an affidavit through Ld. Advocate along with vokalatnama and photo copy of some documents against the opposite party mentioned in the petition for the committing offence as stated in the said petition praying for direction upon the IC, Siliguri PS for registering this application as FIR and investigate into the matter.

Perused the said petition.

Heard the Ld. Advocate as well as complainant.

Register the same as Misc. Petition.

On perusal of the facts of the said application and perusal of the documents enclosed by the petitioner in support of his prayer it appears to this Court that information has been tendered to the Commissioner of Police, SPC, Siliguri. It also appears that the petitioner had duly informed the O/C Cyber Crime PS, Siliguri. Considering the allegations, it appears that it would be proper to direct the IC, Siliguri PS to conduct a preliminary enquiry as to the allegations.

The IC, Siliguri PS is hereby specifically directed to submit a preliminary report by 30.11.2022.

To 30.11.2022 for preliminary report from the IC, Siliguri PS

Let a copy of this order along with the copy of the petition be sent to the IC, Siliguri PS for information and taking necessary action as per law.

D & C by me,

sd/-

ACJM, Siliguri

DR. NO. 17035 Dt. 26-9-22
INSPECTOR - Office
S.L.G. Court - SPC.

sd/-

ACJM, Siliguri

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

Ref: MISC. PETITION NO-34 /2022

IN THE MATTER OF:

AN APPLICATION U/S 156(3) OF
Cr.P.C.

AND

IN THE MATTER OF:

SRI DEEPANKAR ARORA,
S/o Sri Bal Krishna Arora,
r/o Ashoka Complex, Sevoke Road,
P.O. & P.S-Siliguri, Dist.-Darjeeling,
West Bengal-734001 .

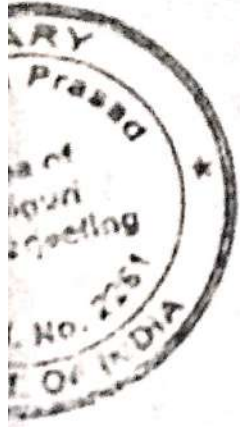
.....Complainant

Vs.

SMT. MOUSUMI BARDHAN,

D/o Narayan Chandra Bardhan, r/o
Subhaspally, near Netaji Boys School,
Siliguri, District-Darjeeling, PIN-
734001.

.....Accused Person



Received on 29.09.22 at 12:45h
Vide Siliguri PS GDEND 1678 dt:
29.09.22 and started SLGPS Case
No-897/22 dt: 29-09-22 u/s 65/66/66A/66E/67A
Information Technology Act 2008 and as per
order of DCP(HO) Inspector Manick Deb Nath
of ICP, Fulbari will investigation the case.

[Signature]
Inspector In-Charge
Siliguri Police Station
Siliguri Police Com...

signed & Declared
on Identification

[Signature]
Notary
Siliguri

Offence committed: U/s 65, 66, 66A, 66E, 67A of Information Technology
Act, 2000 (as amended up to date).

follows:

1. That the Complainant is a peace loving and law abiding citizen of India having permanent residential address as mentioned aforesaid and the complainant above named is a lawyer by profession.
2. That the Complainant has a political identity and presently posted as Vice President, Siliguri District Organization of Bharatiya Janata Party.
3. That in the year 2020 the accused person above named started harassing the complainant herein over telephonic calls being mobile number- 73190-92763 and 62967-66326, through Whatsapp and other social media platforms claiming that the accused person is the love interest of the complainant herein and further alleging that the complainant and the accused person both are in love.
4. That at first the complainant verbally requested the accused person not to raise such false and frivolous allegations as it is causing a serious injury to the mental health of the complainant as well as to his social repute but nevertheless the accused person without paying any heed to the requests made by the complainant continued her activities of fantasy of love with the complainant in social media in a more frequent manner which constrained the complainant to lodge a written complaint on 26.06.2020 to Bhaktinagar P.S. which was diarized as Bhaktinagar P.S. G.D.E. No. 1544 dated 26.06.2020 regarding the harassment done by the accused person and how it is affecting the complainant's mental health, social reputation & family prestige.
5. That after the written intimation was given to the I.C. Bhaktinagar P.S. the accused person somehow managed to get the residential address of the complainant and reached his home when the complainant was not at his home and taking the undue advantage of the complainant's absence the accused person also created a scene in front of his house in front of the complainant's parents who are senior citizens. It is pertinent to mention herein that the acts and conducts of the accused person have caused the complainant's parents suffer a lot of mental pain and agony.
6. That thereafter again on 08.09.2020 the accused person crossed all her limits when the complainant was at a café namely 3 BROTHERS CAFÉ at around 3.40 PM the accused person arrived at the spot with one of her friend and with a gift in her hand but the complainant refused to accept the gift of the accused person but the accused person repeatedly requested the complainant and started hue and cry not only that the accused person also threatened the complainant that she will continue to harass the complainant and will make sure that the

reputation of the complainant gets hurt but when the complainant threatened the accused person that he will lodge a written complaint against her before the police authority the accused person along with her friend left the spot. It is important to mention that stating the aforesaid facts again a written complaint was lodged against the accused person before the Panitanki T.O.P (Under Siliguri P.S.) which was diarized as Panitanki T.O.P. G.D.E. No. 175 dated 08.09.2020 but no specific case was started against the accused person above named.

7. That thereafter again on 14.10.2020 the complainant found out that the accused person with a desperate intention to tarnish the image of the complainant represented herself as the legally wedded wife of the complainant in her facebook account opened under the name and style "MOUSUMI BARDHAN". Further the desperate attempt of the accused person went to such an extent that the accused person somehow stolen/downloaded the pictures of the complainant from his social media pages without his consent and clubbed up those images together with her pictures and uploaded those in her facebook page and in other social media platforms with a clear intention to portray the complainant as her wife which was viewed by hundreds and thousands of people and to that effect again a written complaint was lodged by the complainant before the Inspector-In-Charge, Siliguri Cyber Crime Police Station, Siliguri which was diarized as Cyber Crime P.S., SPC G.D.E No. 141 dated 14.10.2020 but again specific case was started against the accused person.
8. That again in the month of August, 2022 the complainant noticed that the accused person has created one social media account on Facebook named "MOUSUMI MOU" wherein the photographs of the complainant has been used as profile picture without the will and consent of the complainant and to that score a written complaint was lodged before the O.C. Cyber P.S., Siliguri which was diarized as Cyber Crime P.S., S.P.C. G.D.E. No. 79/22 dated 06/08/2022 but no specific case has been started against the accused person till date.
9. That thereafter the complainant was informed by his political friends and local Member of Legislature (M.L.A) that the accused person made gesture before them representing the complainant as her husband. The acts and conducts of the accused person tarnish the image, reputation and character of the complainant to the extent that the opposition political parties started to malign the complainant in different ways which disturbed the physical and mental health of the complainant.
10. That the accused person and her associates are so desperate in nature that in spite of lodging repeated complaints by the complainant the accused person doing the same act and committing the same offence again and again and from the acts and conducts of the local P.S. it appears that the accused person misguided the whole incident to the concerned police authority in such a manner as if it is the complainant who is offender and not the accused person and being fed up by the

approach of the local police station the complainant did not lodged any further complaint after 06.08.2022. However it is worthy here to mention that the complainant in the 2nd Week of September, 2022 made a verbal complaint before the Commissioner of Police, Siliguri Police Commissionerate through his political organization but in spite of having knowledge of the same the Cyuber Crime Wing of Siliguri P.S. did not start any specific case against the accused person.

11. That this complaint is made bona fide and for the ends of justice.

Under the above facts and circumstances, it is, prayed that Your Honour would graciously be pleased to consider this application u/s 156(3) of Cr.P.C directing I/C, Siliguri Police Station to treat this complaint as F.I.R and to start a specific case against the accused person under proper sections of law and to investigate the case properly and sincerely or to pass such other order/orders as Your Honour may deem fit and proper for the ends of justice.

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

VERIFICATION

I, SRI DEEPANKAR ARORA, S/o S/o Sri Bal Krishna Arora,, the complainant above named do hereby verify that the above statements are true to the best of my knowledge and belief and the rest is my humble submission before this Ld. Court and I sign on this verification on this the 26th day of September, 2022 at Siliguri.

Deepankar Arora
Deponent

Read over & explained to the Party and typed in my office.

Chelun
Advocate, Siliguri

Solemnly Affirmed & Declared
before me on Identification

Rajendra Prasad
NOTARY
SILIGURI

I, SRI DEEPANKAR ARORA, S/o Sri Bal Krishna Arora, aged about 45 years, Hindu by faith, lawyer by profession, r/o Ashoka Complex, Sevoke Road, P.O. & P.S-Siliguri, Dist.-Darjeeling, West Bengal-734001, do hereby solemnly affirm and declare as follows :

1. That I am the complainant in this case and as such well acquainted with the facts and circumstances of this case.
2. That the statements made above from paras 1 to 9 are true to the best of my knowledge and belief and the rest are my humble submission before this Ld. Court.
3. That I swear this affidavit for the purpose of affirming the contents of the above statements before this Ld. Court.

I sign on this affidavit on this the 26th day of September, 2022 at Siliguri.

Deepankar Arora

Deponent

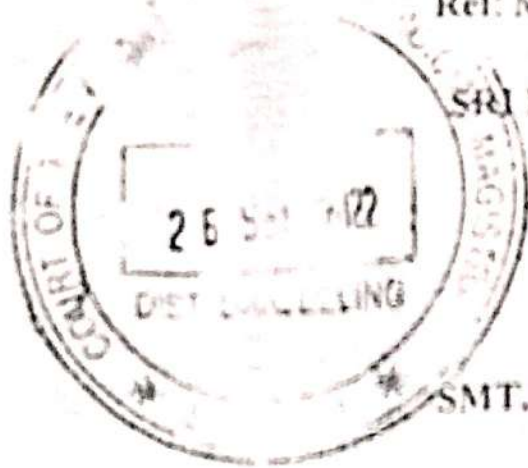
Identified by me,

Charan D

Advocate, Siliguri

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

Ref. MISC. PETITION NO-34 /2022



SRI DEEPANKAR ARORA

.....Complainant

Vs.

SMT. MOUSUMI BARDHAN

.....Accused Person

LIST OF DOCUMENTS RELIED UPON BY THE COMPLAINANT
ABOVE NAMED

Sl. No.	PARTICULARS	<u>ANNEXURE</u>	<u>PAGE NO.</u>
1.	Photocopy of printed screenshots of Truecaller profile of the accused person being mobile no. 73190-92763 and 62967-66326.	A	1-2
2.	Photocopy of printed screenshots of Facebook profiles of the accused person.	B	3-12
3.	Photocopy of Cyber Crime P.S., S.P.C G.D.E. No 79/22 dated 06.08.2022.	C	13
4.	Photocopy of Cyber Crime P.S., S.P.C G.D.E. No 141/20 dated 14.10.2020.	D	14-15
5.	Photocopy of Panitanki T.O.P G.D.E. No 175/20 dated 08.09.2020	F	16-17
6.	Photocopy of Bhaktinagar P.S. G.D.E. No 1544/20 dated 26.06.2020	G	18
7.	Photocopy of membership certificate issued by Siliguri Bar Association, Siliguri.	H	19