

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

1489



1. Dist. PC P.S. Pradhan Nagar Year 2011 FIR No. 958/n Date 18/11/11

2. i) Act. IPC Sections 448/506/541PC ii) Act. _____ Sections _____

(iii) Act. _____ Sections _____ (iv) Others Acts & Sections _____

3. (a) Occurrence of Offence : Day _____ Date From Since the month of January 2011 Date To _____

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 18/11/11 Time 21:15 hrs.

(c) General Diary Reference : Entry No(s) 1217 Time 21:15 hrs.

4. Type of Information : Written Written / Oral

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

(b) Address Cooliepara Hill Court road beside Lions club - PS - Pradhan Nagar, Dist. Darjeeling.

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

6. Complainant / Informant :

(a) Name Smt. Nima Doma Sherpa

(b) Father's / Husband's Name Late, Keshar Lama Sherpa

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

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

(f) Occupation _____

(g) Address Cooliepara, Hill Court Road, Beside Lions club, PS-Pradhan Nagar, Dist. Darjeeling

7. Details of known / suspected / unknown accused with full particulars Nagar, Dist. Darjeeling

(Attach separate sheet, if necessary) :

1. Sri Manish Rajodla. President. Siliguri Lions Service Foundation. Hill Court Road, Cooliepara, Near Mahanda Bridge, Siliguri, PS. Pradhan Nagar, Dist. D.J. 2. Sri Dilip Agarwal C/O. of Lions Service Foundation,

8. Reasons for delay in reporting by the Complainant / Information 3. Sri Rama Lal Agarwal Chairman of Lions Foundation.

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

About 1 Katha, 31.75 sq. ft. Plot No. 401, Khation No. 119, J.L. No. 110(88) under mouza. Siliguri.

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 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 ASI Mirza Hossain 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 original complaint Signature of the Officer-in-Charge, Police Station Pradhan Nagar, Darjeeling Name : Dipanshu Goswami

15. Date & Time of despatch to the court : Rank : No SI of Police



Misc. Petition Case No. 16/2019
CIS Registration No. Misc. Petition Case- 95/2019

19.10.2022

Today is fixed for report and compliance.

A report has been received from the IC Pradhan Nagar PS stating that even though the matter is civil in nature, but there are cognizable offences involved which needs to be investigated to ascertain the actual facts. It would appear that there is an allegations of house trespass which comprises offence u/s 448 of IPC is a cognizable offence. Considering such, the petition be sent to the IC Pradhan Nagar PS to treat the same as a FIR and act accordingly.

The IC Pradhan Nagar PS to submit a report on the next date fixed as to compliance of the instant order.

Fix 24.11.2022 for report. A copy of this order be along with the petition be to the IC Pradhan Nagar PS.

D & C by me,
sd/-
ACJM, Siliguri

sd/-
ACJM, Siliguri

ADDL. CHIEF JUDICIAL MAGISTRATE
SILIGURI

Process NO :- 3100/2022

COPY FORWARDED TO :- I/c Pradhan Nagar P.S.

Received on 18/11/22
at 21:15 hrs. vide PDN
PS GDE No. 1217 dt- 18/11/22
and register PDN PS case
No. 958/22 dt 19/11/2022
248/506/24 SPE and endorsed
to ASI Aniza Hussain for its
Investigation.

Inspector-In-charge
Pradhannagar Police Station
Siliguri Police Commissionerate

ADDL. CHIEF JUDICIAL MAGISTRATE
SILIGURI

DR. NO. 19313 Dt. 17/11/22
INSPECTOR - Office
SLG. Court - SPC.



Nima Doma Sherpa

[Handwritten signatures]

73/21

*Preliminary report
called - from
I/o Pradhanagar P.S by 30/4/19
03/4/19*

In the Court of the Ld. Additional Chief Judicial Magistrate at Siliguri

Misc. Petition No. 16 /2019

IN THE MATTER OF:-

An application under Section 156(3) of Cr.P.C.

Name & address of the complainant

: Smt. Nima Doma Sherpa
D/o. Late Keshar Lama Sherpa,
residing at Cooli Para, Hill Cart Road, Beside
Lions Club, P.S. Pradhannagar,
Dist. Darjeeling

Name & address of the accused persons

- : 1) Sri. Manish Jajodia
President, Siliguri Lions Service Foundation
Hill Cart Road, Cooli Para, Near Mahananda
Bridge, Siliguri, P.S. Pradhannagar
Dist. Darjeeling, W.B.-734003
- 2) Sri. Dilip Agarwal
C/o. Siliguri Lions Service Foundation
Hill Cart Road, Cooli Para, Near Mahananda
Bridge, Siliguri, P.S. Pradhannagar
Dist. Darjeeling, W.B.-734003
- 3) Sri. Panna Lal Agarwal
Chairman, Siliguri Lions Service Foundation
Hill Cart Road, Cooli Para, Near Mahananda
Bridge, Siliguri, P.S. Pradhannagar
Dist. Darjeeling, W.B.-734003



Name and address of the witnesses:

1) Smt. Kalpana Chhetri
D/o. Sri. L.B. Chhetri
resident of Panchanadi, Dagapur,
P.S. Pradhannagar
Dist. Darjeeling

2) Smt. Nima Bhuti Sherpa
W/o. Late Keshar Lama
Cooli Para, Hill Cart Road,
P.S. Pradhannagar,
Dist. Darjeeling

&
Others

*Solemnly affirmed & Declare
before me on identification
12.4.2019
ABIJEET SEN
Notary (Govt. Of India)
Siliguri, Darjeeling*

Date of occurrence : - Since the month of January, 2019, on 06/03/2019, 15/03/2019.



Nima Doma Sherpa

v. b. y

Biswajit Das
Advocate, Siliguri

The complainant above named begs to state as follows:-

1. That the father of the complainant Keshar Lama (since deceased) was absolute owner of the land measuring about 1 Katha 31.75 sq.ft., appertaining to Plot No. 401, Khatian No. 414, J.L. No. 110(88), under Mouza Siliguri, P.S. Siliguri now Pradhannagar, Dist. Darjeeling.
2. That said Keshar Lama had purchased the said landed property in the year of 1988 from the recorded owner namely Amir Lama, S/o. Late Santabir Lama by virtue of a registered deed of sale being no. 363 for the year of 1988. The father of the complainant Keshar Lama had very good relation with said Amir Lama and both were belong to the same religion and due to such good relation, when the land was transferred by Amir Lama to and in favour of the father of the complainant, said Amir Lama had also transferred the possession of his adjacent land measuring about 3(three) Kathas to and in favour of him and since then, the father of the complainant had been occupying and possessing the said 4(four) Kathas land freely, openly and without any objection and interruption whatsoever. During the lifetime of Keshar Lama, he had also constructed a residential house in and over his 1 Katha land and the complainant along with her parents had/have been using the said adjacent 3(three) Kathas land of Amir Lama as courtyard.
3. That on 07/01/2018, said Keshar Lama died leaving behind the complainant and his wife Nima Bhuti Sherpa as his only legal heirs and successors. Subsequently, the mother of the complainant has transferred her share to the complainant by executing a registered deed of gift.
4. That since the month of January 2019, some members of Siliguri Lions Service Foundation including the President of said foundation namely Sri. Manish Jajodia have been trying to encroach the aforesaid landed property belongs to the complainant and when the complainant has raised protest, said President and the other members of Foundation have threatened the complainant and her mother with dire consequences and abused them, finding no other alternative, the complainant has lodged a written complaint to the Commissioner of Police on 14/01/2019.



Solemnly Affirmed & Declared
before me on Identification
B. C. W
ABJEET SEN
Notary (Govt. Of India)
Siliguri, Darjeeling

That at present the complainant is working in a showroom namely Ritukumar Store, Vega Circle Mall, Siliguri and she is residing in the aforesaid house lonely. The complainant use to come home at around 9:30 to 10:00 P.M. after doing her aforesaid job, but on several occasions including on 06/03/2019, when the complainant was entering into her house, the Security Guard of Siliguri Lions Service Foundation abused her in filthy languages while he was in drunken condition, thereafter, the complainant has informed the matter to the president of said foundation but they did not pay any heed to that.



Nima Doma Sherpa

FILED BY

Biswajit Das
Advocate, Siliguri

6. That for the purpose to safety and security, the complainant has decided to cover her house and courtyard by constructing boundary walls and on 15/03/2019, the complainant has started to construct boundary walls, but at about 8:30 P.M., one Manish Jajodia, Dilip Agarwal and the Chairman of Siliguri Lions Service Foundation came to the house of the complainant and started to abuse the complainant in filthy language and asked her to stop the construction of boundary walls otherwise, the life of the complainant will be endanger. When the complainant has tried to convince them that she has every right to construct boundary walls for the purpose to cover her house and courtyard, they became furious and have humiliated and insulted the complainant in presence of so many people by saying that the complainant is not a person of good character, and being a Buddhist and tribal, she does not have any right to reside in such respected area. Subsequently, one Police Officer of Pradhannagar PS namely Mr. Bhutia came to the spot and asked the complainant to stop such construction of boundary walls and threatened the complainant that if she will not settle the matter with the Siliguri Lions Service Foundation, he will arrest the complainant and will not allow her to reside in her house, said police officer has also adviced the complainant to meet with the I.C. of Pradhannagar PS. As too many times were elapsed, the complainant had decided to meet with the I.C. on the next day. But after some times, at about 9:30 P.M., Manish Jajodia, Dilip Agarwal and the Chairman of Siliguri Lions Service Foundation and their men and persons forcibly entered into the house of the complainant and demolished the boundary walls of the complainant illegally.

7. That finding no other alternative, the complainant went to the Pradhannagar PS for lodging complaint against the accused persons but the O.C. of Pradhannagar PS did not receive any complaint from the complainant and thereafter, the complainant has lodged a complaint to the Commissioner of Police, SMP, to the A.C.P.(west) on 16/03/2019 and also to the S.D.O. Siliguri on 20/03/2019 but till this day, police has not taken any action against the accused persons.



Under the above circumstances, it is prayed that your honour would be graciously pleased to pass necessary order and to send this complaint U/Sec. 156(3) of Cr.P.C. to the I.C., Pradhannagar Police Station with a direction to investigate the matter after treating this complaint as F.I.R. for the ends of justice.

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

Solemnly Affirmed & signed
before me on identification

13.4.2019
ABJEET SEN
Notary (Govt. Of India)
Siliguri, Darjeeling