

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



1. Dist. Darjeeling P.S. Siliguri Year 2022 FIR No. 1125/22 Date 06.12.22
2. i) Act IPC Sections 417/420/406/1120B Sections
(iii) Act Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Date From 06.09.2022 Date To
Time Period Not mentioned Time From Time To

(b) Information received at P.S. Date 06.12.22 Time 21.20 hrs

(c) General Diary Reference : Entry No(s) 381 Time 21.20 hrs

4. Type of Information : Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 1.2 km west Beat No.

(b) Address Agresam Road Kharpura, W/NO-09, P.S. - 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 Pradip Kumar Agarwal

(b) Father's / Husband's Name Shri - Dewatsam Agarwal

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

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

(f) Occupation
(g) Address Agresam Road Kharpura, W/NO-09, P.S. - Siliguri, Dist - Darjeeling.

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

(Attach separate sheet, if necessary) :
① Satish Damodar Upadhyay ② Anmol Upadhyay

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
RS - 57,01,700/-

10. Total value of properties stolen / involved RS - 57,01,700/-

11. Inquest Report / U.D. Case No., if any

12. FIR Contents (Attach separate sheets, if required) : The original written complaining which treated as FIR enclosed here with

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 Dilip Paul of Kharpura TDP 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 complaining
Signature of the Officer in Charge, Police Station: Siliguri Police Station
Name : Kamala Prasad

15. Date & Time of despatch to the court : On 07.12.22 at 10.40 am.
Rank : No. SI of Police

To

Dated :

The Officer InCharge
Khalpara TOP
(under Siliguri Police Station)

Subject: FIR regarding cheating of money and misappropriation of money

Respected Sir,

Most humbly I Sri Pradip Kumar Agarwal S/o Dewatram Agarwal ,R/o Agresan Road Khalpara, Ward No -9,Siliguri,PS Siliguri,Dist. Darjeeling do hereby lodge this written complaint/fir before you to the effect stating that I am one of the director of DAP Agro Products Private Limited Company and for the sake of trading business I as the Director of the Company placed order for supply of 50 metric tons of raw IVC Cashew nuts to Mr. Satish Damodar Upadhyay who is the Proprietor of Vada Agro having its office at Groma House, Maharashtra.

Mr. Satish Damodar Upadhyay accepted the offer and agreed to supply 50 metric tons of raw IVC Cashew nuts and he also represented to me that he has sufficient ready stock of demanded quantity. Further Mr. Satish Damodar Upadhyay insisted me/persuaded me to make full payment to him to the amount 57,01,700/-(Fifty Seven Lakhs One Thousand And Seven Hundred Rupees Only).

Initially I was not willing to pay the full amount in advance to Mr. Satish Damodar Upadhyay however he and his son Mr. Anmol Upadhyay further kept on insisting me to make the full payment in advance stating that they will send goods to the company but I always requested to make payment after the order reached to the company premises at Siliguri.

However both Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay regularly insisted me by making representation that order stock is ready for delivery and I need not worry for the advance amount to be paid .

Believing on the representation and assurance from both Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay I paid Rs. 57,01,700/- (Fifty Seven Lakhs One Thousand And Seven Hundred Rupees Only) full amount in advance by the way of two payments firstly paid on 6/9/2022 through RTGS amount of 50 lakhs and the second payment made on 26/9/2022 through RTGS of Rs. 7,01,700/-(Rupees Seven lac One Thousand Seven Hundred Only) both payments transferred to the bank account bearing no 16028620000122 maintain with HDFC Bank VashiBranch (Mumbai).

There after the said Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay send the goods of different quality and which is of inferior quality and less costly than the cost of IVC Cashew nuts and which was rejected by me. On several times I requested Mr. Satish Damodar and his sonto take back the goods and return the total advance amount of rupees 57,01,700/-(Fifty Seven

Lakhs One Thousand And Seven Hundred Rupees Only)but they are not listening to my demand /request and few days back on 15-11-2022 both of them have refused to return back the money or the goods.

The representation made by Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay that the order quality and quantity is ready with them an also the representation that I need not worry for the advance amount.Both these representation made by them were false and both of them very well knew that the representation they are making is false and such that the false representation was made with dishonest intention of deceiving me.

By making such representation they have induced me to deliver in advance the full amount which I would otherwise not have done had I not been deceived.

Thus both the person Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay have cheated the company of amount of Rs. 57,01,700/- (Fifty Seven Lakhs One Thousand And Seven Hundred Rupees Only)and have miss-appropriated the total amount to their own use and purpose.

Hence I as the Director of the Company DAP Agro Products Private Limited do hereby request you to register this complain as FIR and take strict and immediate legal action against Mr. Satish Damodar Upadhyay and his son Mr. Anmol Upadhyay and also recover the total amount of Rs. 57,01,700/- (Fifty Seven Lakhs One Thousand And Seven Hundred Rupees Only).

Thanking you

Yours faithfully
DAP Agro Products (P) Ltd.

T. Jaganwal

Director

9593172111

Received on 06.12.22 at 19:45 hrs
vide Khajpara TOP G.D.E NO-147
dt: 06.12.22 and forwarded to
IPC SLS AS to start a specific
Case under proper Sec. of Law.

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06/12/22
Officer-In-Charge
Khajpara T.O.P.
P.S. Siliguri
Siliguri Metropolitan Police

Received on 06-12-22 at 21.20 hrs vide S/O PS
W.P.E No 381 dt 06-12-22 and started by PS
Case no - 1125/22 dt. 06-12-22 v/s - 417/420/
406/1208 P.P.E and endorsed to S/O Bilep Pame of
Khajpara TOP for further investigation.

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06/12/22
Inspector-In-Charge
Siliguri Police Station
Siliguri Police Commissionerate