

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



P.S. Matigara Year 2023 FIR No. 017/23 Date 06/01/23

Sections 21(c)/29 (i) Act Sections

Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Date From 06/01/23 Date To 06/01/23

Time Period Time From 19:45 hr Time To 21:25 hr.

(b) Information received at P.S. Date 06/01/23 Time 22:15 hr.

(c) General Diary Reference : Entry No(s) 297 Time 22:15 hr.

4. Type of Information : Written Written / Oral

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

(b) Address In front jaiswal Dhaba near Khapraail More Ps. Matigara Dist. Darjeeling.

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

6. Complainant / Informant :

(a) Name SI Sailesh Subba

(b) Father's / Husband's Name

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

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

(f) Occupation Govt. Service

(g) Address Matigara Police Station, Siliguri Police Commissionerate

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

(Attach separate sheet, if necessary) :

1. Ajay Sharma S/o H. Ajit Sharma of Bidhanpally, Near Sitala Mandir, P.S. Dakkhok Dist. Uttar Dinajpur.

Basak 2 Dalmohan Basak 3 Manu Basak 4 Raju Basak Mondal 5 Dhemna and Md. Tamanna.

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

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

1 Total 382 grams Brown Sugar 2 One Samsung mobile having IMEI No. 356890803320963/353069493320962.

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 is enclosed here with/reproduced over leaf.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and look up the investigation / directed SI Selkhar Adhikary

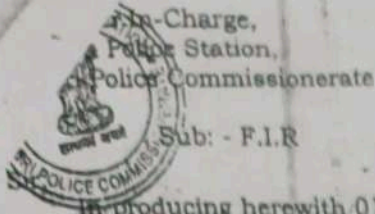
investigation / refused investigation / transferred to P.S. Officer In-charge Matigara Police Station Siliguri Police Commissionerate

jurisdiction. FIR read over to the Complaint/ 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 Matigara Police Station Siliguri Police Commissionerate Name: Bipul Talukdar

Time of despatch to the court : on 07/01/23 at 11:10hr Rank : No. SI of Police, M.T. 6 PS



Charge,
Police Station,
Police Commissionerate

Sub: - F.I.R

In producing herewith 01(one) arrested accused person named Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified) along with the following seized article under proper seizure as per seizure list;

- (i) One transparent polythene containing total 382 grams of light brown colour powder suspected to be brown sugar and marked as "Exhibit- A".
- (ii) 20 (twenty) grams of light brown colour powder suspected to be brown sugar taken as sample from exhibit "A" for examination, kept in one zip lock transparent polythene and marked as Exhibit "A-1".
- (iii) One Yellow carry bag with the label 'CHAMAK' tea premium CTC tea, Mkt. by Sk Traders, Daokhola, Mob. No- 8927972127 and marked as "Exhibit- B".
- (iv) One black colour backpack with the logo of a Bat which has two compartments and marked as Exhibit- "C".
- (v) One Samsung Mobile bearing IMEI No. 356890803320963/3593069493320962 and marked as 'Exhibit-D'

I, SI Sailesh Subba of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused person named Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified) to the effect that today on 06.01.2023 at about 16.55 hrs I received a specific source input that one person will be coming to Jaiswal Dhaba near Khaprail More under Matigara PS with huge quantity of Brown Sugar for delivering the same to his designated customers, at the adjacent areas. The matter was diarized in General Diary vide Matigara PS GDE No. 281 Dt- 06.01.2023 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Tapan Das, C/810 Anjelus Minj, C/306 Wang Dorjee Lama, C/974 Mintu Sen, CV-155 Sul Kumar Das all of Matigara PS, SPC left for Jaiswal Dhaba near Khaprail More under Matigara PS along with investigation kit by govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 282, Dated - 06.05.2023 and M.C.C No- 39/2023 Dated 06.05.2023. Considering the urgency and circumstances any search warrant or authorization could not be obtained as it would facilitate the offender for his safe passage.

On the way to Jaiswal Dhaba near Khaprail More, I requested one videographer namely Kamal Roy (25), S/O Chandi Roy of Matigara Khudirampally, PO+PS-Matigara, Dist.-Darjeeling and requested him to come at Jaiswal Dhaba near Khaprail More to accompany us as the entire process of search and seizure would have to be video-graphed. I also requested two independent witnesses namely, (1) Avijit Sharma (39), S/O- Nirmal Kumar Sharma of Matigara Rabindra Pally, PO+ PS Matigara, District Darjeeling and (2) Avijit Mitra (40), S/O- Ranjit Mitra, Matigara of Rabindra Pally, PO+ PS Matigara, District Darjeeling and make them aware of the information in hand and requested them to act as witness in case any search and seizure would be made to which they obliged. Thereafter we along with the independent witnesses reached at Jaiswal Dhaba near Khaprail More under Matigara PS. At about 17:45 hrs, reliable source pointed towards a person who was found sitting inside Jaiswal Dhaba and confirmed that he was the person that we were looking for. Seeing the Police party approaching towards him, the suspect tried to flee away from the spot but we managed to apprehend him. Thereafter, we disclosed our identity and the information in hand and stated him that he as well as his baggage will be searched in person for the purpose. At this, he after disclosing his identity as noted above admitted that he had in his possession some brown sugar for the purpose of selling the same to his designed customers as per their requirement. I then gave him option in writing whether he wanted to be searched in presence of an Executive Magistrate or by any Gazette Officer. At this he agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused person to search our Police Party as per provisions but, he did not search the police party.

Accordingly, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Narendra Kallikotay, Assistant Commissioner of Police, SB, Siliguri Police Commissionerate, detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused person suspected to be possessing Brown Sugar at 18:35 hrs. and requested him to come at Jaiswal Dhaba near Khaprail More under Matigara PS to supervise the search and seizure.

SI Sailesh Subba
Date - 06/01/2023

Accordingly at 19:15 hrs, Shri Narendra Kalikotay, Assistant Commissioner of Police, SB, Siliguri Commissionerate arrived at the spot at Jaiswal Dhaba near Khapraill More under Matigara PS and as in presence of two independent witnesses I searched the detained person observing all formalities and recovered the above noted articles from the exclusive and conscious possession of the person namely Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified).

Further, as demanded by Shri Narendra Kalikotay, Assistant Commissioner of Police, SB, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC, the detained person namely Ajay Sharma failed to produce any valid document in support of possession of the brown sugar. Thereafter, I weighed the recovered packet with a weighing machine found 382 grams of brown sugar kept in the transparent pouch.

Accordingly, I seized the above noted articles from the exclusive and conscious possession of accused namely Ajay Sharma at the spot at Jaiswal Dhaba near Khapraill More under Matigara PS under proper seizure list in presence of independent witnesses under the supervision of Shri Narendra Kalikotay, Assistant Commissioner of Police, SB, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining his signature and being acknowledged by the accused person and obtaining his signature.

Subsequently, I labelled and sealed the seized articles in presence of Shri Narendra Kalikotay, Assistant Commissioner of Police, SB, Siliguri Police Commissionerate and the independent witnesses and the accused person. The whole process of seizure was made in between 19:45hrs to 21:25 hrs.

Being further asked, the apprehend person namely Ajay Sharma admitted in presence of Shri Narendra Kalikote, Assistant Commissioner of Police, SB, Siliguri Police Commissionerate and other independent witnesses that they have procured the brown sugar clandestinely from Dalmohon Basak and Manu Basak, bot of Dalkhola, Uttar Dinajpur and Raju Mandal of Gazole Malda and for the purpose of selling the same in high rate to Dhemna of Pakistan Basti, Matigara and Tamanna of Goalapatti, Siliguri. He also disclosed that they have been dealing in this business of procuring and selling of brown sugar illegally for quite some time for his wrongful gain. I examined the above noted accused and also recorded his statement u/s 67 NDPS Act.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified) is involved in procuring and selling of brown sugar illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified) after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused person namely (1) Ajay Sharma (19), S/O- Lt. Ajit Sharma of Bidhan Pally near Sitala Mandir, PS- Dalkhola, Dist- Uttar Dinajpur (not verified), (2) Dalmohon Basak, (3) Manu Basak, both of Dalkhola, Uttar Dinajpur, (4) Raju Mandal of Gazole, Malda, (5) Dhemna of Pakistan Basti, Matigara and (6) Tamanna of Goalapatti, Siliguri and arrange for its investigation.

Yours faithfully,

SI Sailesh Subba

(SI Sailesh Subba)
Matigara Police Station
Siliguri Police Commissionerate.

Date: 06/01/2023

Enclosure:

- i) Original Memo of Arrest.
- ii) Original seizure list along with seized articles and other papers.
- iii) Statement of accused Ajay Sharma recorded u/s 67 NDPS Act

Received on 06/01/23 at 22:15 hrs. vide
MTG PS GDE NO-297 and started MTG RL
Case No. 017/23 dt. 06/01/23 u/s 21(A)29 of
NDPS Act and endorsed to SI Sailesh Subba
for its investigation

06/01/2023

Officer In-charge
Matigara Police Station
Siliguri Police Commissionerate