

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



P.S. Pradhannagar Year 2023 FIR No. 165/23 Date 10.03.2023
u/Sections 21(c)/22(c)/27A (ii) Act. Sections
Sections of NDPS Act. (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Friday Date From 10.03.2023 Date To 10.03.2023
Time Period 55 minutes Time From 16.10 hrs. Time To 17.05 hrs.
(b) Information received at P.S. Date 10.03.2023 Time 17.30 hrs.
(c) General Diary Reference : Entry No(s) 528 Time 17.30 hrs.
4. Type of Information : Written Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.
(b) Address Namechi Taxi Stand near SNT under Pradhannagar PS.
Dist. Darjeeling.
(c) In case outside limit of this Police Station, then the Name of the P.S. District

6. Complainant / Informant :
(a) Name S.I., Abhishek Theengh.
(b) Father's / Husband's Name S/o- Seechandra Kumar Theengh.
(c) Date / Year of Birth : (d) Nationality Indian.
(e) Passport No. Date of Issue : Place of Issue.
(f) Occupation Sub-Inspector of Police.
(g) Address P.S. Pradhannagar, Siliguri Police Commissionerate.

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :
i) Saroj Sahani, s/o- Budhan Sahani of Cooliepara, Rajendra nagar, PS-Pradhannagar, Dist. Jh,
ii) Basant Chhetri, s/o- Dhan Kumar Chhetri of Gewung Busty, PS-Pradhannagar, Dist. Jh,

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
a) One Chocolate colour Bag Styled as 'BESTOKE BAGS' containing 28 (Twenty-Eight) bottles of Codeine Phosphate & Chlorpheniramine Maleate Syrup styled as RC-Kuff, having Batch No. RKLS-2006, Mfg. Date. July 2022; Expiry Date. June 2024 & M.R.P. Rs. 150 per bottle, recovered and seized from the exclusive and conscious possession of Saroj Sahani @ Sanoj and marked as "Exhibit- A".
b) One (01) bottle of Codeine Phosphate & Chlorpheniramine Maleate Syrup, Batch No. RKLS-2006, Mfg. Date. July 2022; Expiry Date. June 2024 randomly taken from Exhibit A and taken as sample for examination and marked as Exhibit "A-1"
c) One Neon colour Bag styled as 'QUECHUA' containing 22 (Twenty-Two) bottles of 'ONEREE' Codeine Phosphate & Chlorpheniramine Maleate Syrup, having Batch No. 171022-SD28; Mfg. Date. October 2022; Expiry Date September 2024 & M.R.P. Rs. 150 per bottle, which has been recovered and seized from the exclusive and conscious possession of Basant Chhetri and marked as "Exhibit- B".
d) One (01) bottle Codeine Phosphate & Chlorpheniramine Maleate Syrup, having batch No. 171022-SD28; Mfg. Date Oct. 2022; expiry date Sep. 2024 randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1"
up the investigation / directed S.I., Bandhan Roy 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
S. Abhishek Theengh.

Signature of the Officer-In-Charge, Police Station
Inspector-In-Charge
Name : Sri Prasananda Das
1/c, Pradhannagar PS,
Rank : No.
Dt. 10.03.2023

15. Date & Time of despatch to the court :



To
The Inspector-In-Charge,
Pradhan Nagar Police Station,
Siliguri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith two (02) arrested accused persons namely 1. Saroj Sahani @ Sanoj (30) S/O Budhan Sahani of Coolie Para, Rajendra Nagar, W/No 01, PS. Pradhan Nagar, Dist. Darjeeling 2. Basant Chettri (43) S/O Dhan Kumar Chettri of Gurung Busty, W/No. 03, PS. Pradhan Nagar, Dist. Darjeeling (Not Verified) with the following articles under proper seizure as per seizure list;

- a) One Chocolate colour Bag Styled as 'BESTOKE BAGS' containing 28 (Twenty-Eight) bottles of Codeine Phosphate & Chlorpheniramine Maleate Syrup styled as RC-Kuff, having Batch No. RKLS-2006, Mfg. Date. July 2022; Expiry Date. June 2024 & M.R.P. Rs. 150 per bottle, recovered and seized from the exclusive and conscious possession of Saroj Sahani @ Sanoj and marked as "Exhibit- A".
- b) One (01) bottle of Codeine Phosphate & Chlorpheniramine Maleate Syrup, Batch No. RKLS-2006, Mfg. Date. July 2022; Expiry Date. June 2024 randomly taken from Exhibit A and taken as sample for examination and marked as Exhibit "A-1"
- c) One Neon colour Bag styled as 'QUECHUA' containing 22 (Twenty-Two) bottles of 'ONEREEX' Codeine Phosphate & Chlorpheniramine Maleate Syrup, having Batch No. 171022-SD28; Mfg. Date. October 2022; Expiry Date September 2024 & M.R.P. Rs. 150 per bottle, which has been recovered and seized from the exclusive and conscious possession of Basant Chettri and marked as "Exhibit- B".
- d) One (01) bottle Codeine Phosphate & Chlorpheniramine Maleate Syrup, having batch No. 171022-SD28; Mfg. Date Oct. 2022; expiry date Sep. 2024 randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1"

I, SI Abhishek Theengh (32), S/O- Suchandra Kumar Theengh of Pradhan Nagar Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused persons namely 1. Saroj Sahani @ Sanoj (30) S/O Budhan Sahani of Coolie Para, Rajendra Nagar, W/No 01, PS. Pradhan Nagar, Dist. Darjeeling 2. Basant Chettri (43) S/O Dhan Kumar Chettri of Gurung Busty, W/No. 03, PS. Pradhan Nagar, Dist. Darjeeling (Not Verified) to the effect that on 10.03.2023 at about 14:45 hrs, I received a specific source input that two persons possessing huge quantity of Codeine Phosphate & Chlorpheniramine Maleate Syrup based drugs was standing at Namchi Taxi Stand near SNT under Pradhan Nagar PS to sell the same to their designed local customers. The matter was diarized in Pradhan Nagar PS GDE No. 524/23 Dt. 10.03.2023. Subsequently, I informed the matter to you on written and with your prior permission and being directed, myself along with PSI Bandhan Roy, ASI Ashit Singha, C/762 Mojibul Rahaman, CV-242 Rakesh Mangar, CV- 992 Jagadish Biswas all of Pradhan Nagar PS, SPC, and after being contacted to the Videographer Somnath Chatterjee S/O Sushil Chatterjee of Arubindo Pally, P.O.- Rathkhola, P.S. - Siliguri, Dist. - Darjeeling and with investigation kit left for Namchi Taxi Stand near SNT under Pradhan Nagar PS by Govt. vehicle to verify the veracity of the information. This refers to Pradhan Nagar PS GDE No. 525/23 Dt. 10.03.2023 and M.C.C No- 650 Date- 10.03.2023.

Under this circumstance any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

After reaching at Namchi Taxi Stand near SNT under Pradhan Nagar PS at around 15.20 hrs, I requested two persons as independent witness by notice namely (1) Deepak Gurung (63) S/O Late Kahar Singh Gurung of Gurung Busty, PS. Pradhan Nagar, Dist. Darjeeling and (2) Bikram Thapa (50) S/O Late Sukman Thapa of Gurung Busty, PS. Pradhan Nagar, Dist. Darjeeling (both working at Namchi Taxi Stand counter) and made them aware of the information in hand and requested them to act as witness, if any search and seizure would be made necessary upon which they agreed and thereafter being pointed by my source detained 02 (Two) persons mentioned above who was standing at Namchi Taxi Stand near SNT under Pradhan Nagar PS. They had carried one Chocolate colour Bag and One Neon colour Bag under their possession. Thereafter, we disclosed our identity and the information in hand and stated them that they as well as the bags under their possession will be searched for the purpose. And, I gave them option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which they agreed to be searched in presence of any one of the above.

I also offered the independent witnesses and the accused persons to search our Police Party as per provisions but they did not search the police party. Consequently, I informed the matter to you and as per your kind order, I informed to Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused persons suspected to be possessed Codeine Phosphate & Chlorpheniramine Maleate Syrup illegally and requested him to come at Namchi Taxi Stand near SNT under Pradhan Nagar PS to remain present and to supervise the search and seizure.

Accordingly at 15.55 hrs Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Namchi Taxi Stand near SNT under Pradhan Nagar PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons following all formalities, keeping their decency and recovered the above noted articles from the exclusive and conscious possession of the accused persons namely Saroj Sahani @ Sanoj (30) S/O Budhan Sahani of Coolie Para, Rajendra Nagar, W/No 01, PS. Pradhan Nagar, Dist. Darjeeling 2. Basant Chettri (43) S/O Dhan Kumar Chettri of Gurung Busty, W/No. 03, PS. Pradhan Nagar, Dist. Darjeeling (Not Verified).

It has been found two bags under the possession of the above noted accused persons namely Saroj Sahani @ Sanoj (30) and Basant Chettri (43) - containing 28 (Twenty-Eight) bottles of Codeine Phosphate & Chlorpheniramine Maleate Syrup styled as RC-Kuff which has been recovered and seized from the exclusive and conscious possession of Saroj Sahani @ Sanoj and 22 (Twenty-Two) bottles of 'ONEREEX' Codeine Phosphate & Chlorpheniramine Maleate Syrup which has been recovered and seized from the exclusive and conscious possession of Basant Chettri and the details has been mentioned in details below during the seizure process.

Further, on demand in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC, the detained persons namely Saroj Sahani @ Sanoj (30) and Basant Chettri (43), on being asked, failed to produce any valid documents/papers or explanation for possessing of such a huge quantity of 'Codeine Phosphate & Chlorpheniramine Maleate Syrup' beyond the prescribed limit.

Thereafter, I seized 28 (Twenty-Eight) bottles of Codeine Phosphate & Chlorpheniramine Maleate Syrup styled as RC-Kuff, having Batch No. RKLS-2006, Mfg. Date. July 2022; Expiry Date. June 2024 & M.R.P. Rs. 150 per bottle, recovered and seized from the exclusive and conscious possession of Saroj Sahani @ Sanoj which was kept inside one Chocolate colour Bag Styled as 'BESTOKE BAGS' and marked as "Exhibit- A" and 22 (Twenty-Two) bottles of 'ONEREEX' Codeine Phosphate & Chlorpheniramine Maleate Syrup, having Batch No. 171022-SD28; Mfg. Date. October 2022; Expiry Date September 2024 & M.R.P. Rs. 150 per bottle, which has been recovered and seized from the exclusive and conscious possession of Basant Chettri which was kept inside one Neon colour Bag styled as 'QUECHUA' and marked as "Exhibit- B" at the spot at Namchi Taxi Stand near SNT under Pradhan Nagar PS under proper seizure list in presence of independent witnesses and Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Saroj Sahani @ Sanoj and Basant Chettri. The whole process of seizure was made in between 16.10 hrs to 17.05 hrs with the videography.

Being further asked, the apprehended persons namely Saroj Sahani @ Sanoj and Basant Chettri admitted in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that they have procured Codeine Phosphate & Chlorpheniramine Maleate Syrup clandestinely for the purpose of selling the same in high rate to their designed local customers for their personal gain by illegal means. On further being asked, they also disclosed that they have been dealing in this business of procuring and selling of 'Codeine Phosphate & Chlorpheniramine Maleate Syrup' based drugs illegally for last few months for their wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Saroj Sahani @ Sanoj and Basant Chettri is involved in procuring and selling 'Codeine Phosphate & Chlorpheniramine Maleate Syrup' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Saroj Sahani @ Sanoj and Basant Chettri after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest at 17:07 hrs and 17.08 respectively.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely 1. Saroj Sahani @ Sanoj (30) S/O Budhan Sahani of Coolie Para, Rajendra Nagar, W/No 01, PS. Pradhan Nagar, Dist. Darjeeling 2. Basant Chettri (43) S/O Dhan Kumar Chettri of Gurung Busty, W/No. 03, PS. Pradhan Nagar, Dist. Darjeeling (Not Verified) and arrange for its investigation.

Enclosures:

- i) Original Memo of Arrests.
- ii) Original Seizure list along with Seized articles and other Relevant Papers.

Received on 10.03.2023 at 17.30 hrs. vide PDN PS GD Entry no. 528 date 10.03.2023 and started PDN PS case no. 165/23 date 10.03.2023 u/s- 21(c)/22(c)/27A of NDPS Act and endorsed to S.I., Bandhan Roy for investigation.

10/03/2023
Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Yours faithfully,
Abhishek Theengh
(SI Abhishek Theengh)
Pradhan Nagar Police Station
Siliguri Police Commissionerate