

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



P.S. Matigana Year 2023 FIR No. 814/23 Date 24/04/23  
Sections 406/480/120B a) Act Sections  
Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence Day Date From 25/04/23 Date To 25/04/23  
Time Period Time From Time To

(b) Information received at P.S. Date 24/04/23 Time 19:55 hrs.  
(c) General Diary Reference Entry No(s) 1385 Time 19:55 hrs.

4. Type of information Written Written / Oral

5. Place of Occurrence (a) Direction and Distance from P.S. Beat No.  
(b) Address Mouza Gaura Chooan Ps. Matigana Dist. Dayeeling.

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

6. Complainant / Informant  
(a) Name Smt. Ratan Devi  
(b) Father's / Husband's Name Dayanand Jaiswal @ Dayanand Prasad  
(c) Date / Year of Birth (d) Nationality  
(e) Passport No. Date of Issue Place of Issue  
(f) Occupation  
(g) Address House no. 262 New Bhanu Jewellers, Khagaria Bihar

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary):  
1. Dayanand Jaiswal @ Dayanand Prasad 2. Smt. Anjali Jaiswal 3. Ranjay Jaiswal.

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

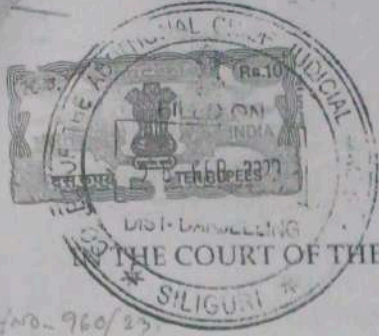
11. Inquest Report / U.D. Case No., if any

12. FIR Contents (Attach separate sheets, if required): The Original written Complaint which is treated as FIR is enclosed/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 took up the investigation / directed SI Tanmay Kundu Officer-in-Charge Matigana Police Station to take up investigation / refused investigation / transferred to P.S. Sitguri Police Commissionerate 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 24/04/23 Officer-in-Charge Matigana Police Station  
Name: SITGURI POLICE COMMISSIONERATE

15. Date & Time of despatch to the court: on 25/04/23 at 11:00 hrs. Rank: No. SI OF POLICE



162/2023

Filed by  
Magistrate Roy Chak

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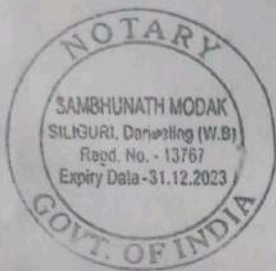
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THE COURT OF THE LD. ADDL CHIEF JUDICIAL MAGISTRATE AT SILIGURI

REF : MISC PETITION NO. 16 /2023

Name and Address of the complainant :

SMT RATAN DEVI  
W/o Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal, Permanent resident of House no.262, New Bhawana Jewellers, Kachari Road, P.O. & P.S.- Khagaria, District - Khagaria, Pin -851204, State of Bihar, presently residing at Green View Apartment, Block 1, E-4, Upper Bhanu Nagar, Near Sai Hospital, Ward no. 43 of S. M. C, Siliguri Town, P. S. -Bhaktinagar, District - Jalpaiguri, Pin-734008.



Name and address of the accused persons :

1. SRI DAYANAND JAISHWAL @ DAYANAND PRASAD JAISHWAL  
S/o late Devki Lal Choudhury

2. SMT ANJALI JAISHWAL  
W/o Sri Pankaj Jaishwal

3. SRI PANKAJ JAISHWAL  
S/o Sri Dayanand Jaishwal  
All are resident of House no.262, New Bhawana Jewellers, Kachari Road, P.O. & P.S.- Khagaria, District - Khagaria, Pin -851204, State of Bihar.

Received on 24/04/23 at 10:55 am. from 2d Court code mfr 6 PS GDE No-1325 and started mfr 6 PC Case No-314/23 dt. 24/04/23 vs 406/122/maz I.P.C and endorsed to SI Tammo Kundu for its investigation

24/4/23

Officer-in-Charge  
Matigara Police Station  
Siliguri Police Commissionerate

Date and place of offence committed :

25<sup>th</sup> day of January to till date in respect of the land of the complainant area measuring 0.4345 acre under part of L. R. plot no. 713, 714, 715, 716 and 717, recorded in L. R. khatian no. 6312, situated in Mouza - Gourcharan, J. L. No. 81, Police Station - Matigara, District - Darjeeling.

Solemnly Affirmed & Declare before me on identification

SAMBHUNATH MODAK  
Notary (Govt. of India)  
Siliguri, Darjeeling

Name of the Police Station who refused to accept the complaint/  
F.I. R. of the complainant :

Matigara Police Station

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*16/2/23*

*filed by  
Prasanna Jaiswal*

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Offence committed by the accused - U/S 420, 468, 471, 447, 498A, 506, 323, 307, Persons 120B1 P.C.

The complainant begs to state as follows :-

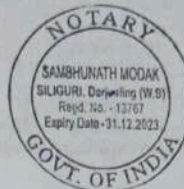
1. That the complainant/petitioner is a peace loving and law abiding citizen of India and presently residing with her son Sri Deepak Jaishwal at above noted address mentioned in the clause title.

2. That I had acquired a piece of land measuring 55 decimal in part of L.R. nos. 713, 714, 715, 716 and 717, recorded in L.R. khatian no. 811, situated in Mouza - Gourcharan, J.L. No. 81, Police Station - Matigara, District - Darjeeling by virtue of a registered Gift Deed being no. 1-663 dated 4/2/2019 registered before the office of the Additional District Sub Registrar, Siliguri -II at Bagdogra as fully described in the schedule here-in-below and said area of land recorded in my name in L.R. khatian no. 6312 by way of mutation from the office of the B. L. & L. R. O., Matigara at Shivmandir and said area of land was my khas, actual and physical possession since the date of said gift deed till it's transfer. The photocopy of my said numbered Gift Deed and L.R. khatian is annexed herewith marked as Annexure - A and B.

3. That my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal had taken general power from me in respect of my said area of land forcefully by virtue of a registered General Power of Attorney being no. 36 dated 13/12/2019 registered before the office of the District Sub Registrar at Khagaria, State of Bihar and my husband being constituted attorney by virtue of said numbered registered General Power of Attorney had transferred land measuring 7 kathas or 11.55 decimal out of my total area of land to Md. Sultan Alam by virtue of a registered sale deed being no.1040310620 dated 24/11/2022 registered before the office of the Additional District Sub Registrar, Siliguri -II at Bagdogra but my husband i.e. my constituted attorney did not pay sale amount to me as per said sale. The photocopy of said General Power of Attorney being no. 36 dated 13/12/2019 is annexed herewith marked as Annexure - C.

4. I have cancelled said Power of Attorney being no. 36 dated 13/12/2019 by virtue of a registered Deed of Revocation/Cancellation of Power of Attorney dated 21/1/2023 being document no. 6, serial no. 507, registered before the office of the District Sub Registrar at Khagaria,

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*16/2/23*

*filed by  
Prasanna Jaiswal*

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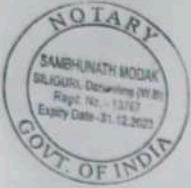
State of Bihar and all official formalities of said Deed of Revocation /Cancellation of Power of Attorney has been confirmed on 25/1/2023 though I have executed said Deed of Revocation/Cancellation of Power of Attorney on 21/1/2023 and submitted the same before the said registration office on same day for it's registration. I have informed my husband i.e. my constituted attorney about the cancellation of said dated General Power of Attorney being no. 36 dated 13/12/2019 in presence of my family members and friends/well wishers on 21/1/2023 and requested him not to do any act by virtue of said cancelled General Power of Attorney. The photocopy of my Deed of Revocation/Cancellation of Power of Attorney dated 21/1/2023 is annexed herewith marked as Annexure - D.

5. That I have issued a letter dated 21/1/2023 to and in favour of my husband in related with the matter of said cancelled General Power of Attorney dated 21/1/2023 and requested him to receive the same by hand but my husband had refused to accept my said letter dated 21/1/2023, therefore, I have send said dated letter to him through courier on 23/1/2023 which was delivered to him on same day. The photocopy of my said letter dated 21/1/2023 and courier receipt with delivery information are annexed herewith marked as Annexure - D1 and D2.

6. That I came to know on 24/1/2023 that my husband is going to execute sale deed/s on the strength of said numbered cancelled General Power of Attorney to and in favour of Anjali Jaishwal and Pankaj Jaishwal in respect of my said balance area of land measuring 43.45 decimal or equal to 0.4345 acre at the office of the District Sub Registrar at Darjeeling and after knowing such fact/information, I went to Darjeeling and submitted my written objection to the District Sub Registrar at Darjeeling on 24/1/2023 and same was duly received by said office with proper seal and signature. My husband tried to registrar sale deed/s at the office of the District Sub Registrar at Darjeeling which he had executed as my constituted attorney but said office refused to registrar his executed sale deed/s after receiving my written objection. The photocopy of said written objection dated 24/1/2023 is annexed herewith marked as Annexure - E.

7. That I have informed all registration departments about my said numbered registered Deed of Revocation/Cancellation of Power of Attorney dated 21/1/2023 through E-mail on 24/1/2023. The photocopy of said all E-mail are annexed herewith marked as Annexure - F.

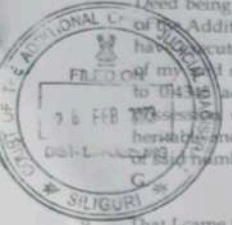
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Pragnatik Ray (W.B.)

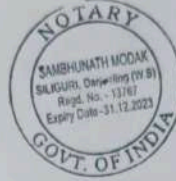
8. That I was the owner in possession of my rest of the area i.e. land measuring 43.45 decimal or equal to 0.4345 acre which I have transferred to and in favour of my son Sri Deepak Jaishwal S/o Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal by virtue of a registered Gift Deed being no. 040300618 dated 30/1/2023 registered before the office of Additional District Sub Registrar, Siliguri-II at Bagdogra though I have executed said document/Gift Deed on 25/1/2023 to and in favour of my son and said area of land measuring 43.45 decimal or equal to 0.4345 acre in said plots is under the khas, actual and physical possession of my said son Sri Deepak Jaishwal having permanent, heritable and transferable right, title and interest therein. The photocopy of said numbered Gift Deed is enclosed herewith marked as Annexure -



That I came to know that the entire area from my L.R. khatian being no. 6312 of Mouza - Gourcharan has been deleted by the concern land office without issuing any notice to me and same has been recorded in L. R. khatian no. 6939 and 6940 in the name of Smt Anjali Jaishwal and Sri Pankaj Jaishwal through mutation case no.MN/2023/0401/780 and MN/2023/0401/781.

10. That it is came to my knowledge that my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal has transferred my 0.4145 acre of land in L.R. plot no.713, 714, 715, 716, 717, recorded in my name in L.R. khatian no. 6312 to and in favour of Smt Anjali Jaishwal by virtue of a registered sale deed being no. 190401331 dated 25/1/2023 registered before the office of the Additional Registrar of Assurance -IV, Kolkata and said numbered registered Sale deed executed by said Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal on the strength of said General Power of Attorney being no. 36 dated 13/12/2019 though said numbered General Power of Attorney has no legal value as because same has been cancelled by me by a registered Deed of Revocation/Cancellation of General Power of Attorney dated 21/1/2023. It is mentioned in the said deed that my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal has received a sum of Rs.95,00,000/- (Rupees ninety five lacs) only from the purchaser of the said deed namely Anjali Jaishwal as my constituted attorney in account of consideration of the said area of land but my said husband had no authority to execute said sale deed on the strength of said General Power of Attorney as because

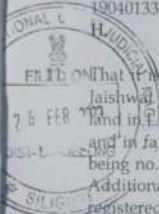
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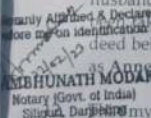
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Pragnatik Ray (W.B.)

same has been cancelled by me on 21/01/2023 through a registered Deed of Revocation /Cancellation of General Power of Attorney and my husband did not pay said consideration amount to me which he has been taken for his personal gain. The photocopy of said deed being no. 190401331 dated 25/1/2023 is annexed herewith marked as Annexure -



That it also came to my knowledge that my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal has transferred my 0.02 acre of land in L.R. plot no.713, recorded in my name in L.R. khatian no. 6312 to and in favour of Sri Pankaj Jaishwal by virtue of a registered sale deed being no. 190401332 dated 25/1/2023 registered before the office of the Additional Registrar of Assurance -IV, Kolkata and said numbered registered deed executed by said Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal on the strength of said dated General Power of Attorney being no. 36 dated 13/12/2019 though said numbered General Power of Attorney has no legal value as because same has been cancelled by me by a registered Deed of Revocation/Cancellation of General Power of Attorney dated 21/1/2023. It is mentioned in the said deed that my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal has received a sum of Rs.6,60,000/- (Rupees six lacs sixty thousand) only from the purchaser of the said deed namely Pankaj Jaishwal as my constituted attorney in account of consideration of the said area of land but my said husband had no authority to execute said sale deed on the strength of said General Power of Attorney as because same has been cancelled by me on 21/1/2023 through a registered Deed of Revocation/Cancellation of General Power of Attorney and my husband did not pay said consideration amount to me which he has been taken for his personal gain. The photocopy of said numbered sale deed being no. 190401332 dated 25/1/2023 is annexed herewith marked as Annexure - I.



my husband Sri Dayanand Jaishwal @ Dayanand Prasad Jaishwal, my son Sri Pankaj Jaishwal, my daughter-in-law Smt Anjali Jaishwal, and their associates are jointly made a plan to cheat me for their illegal gain and due to this reasons, my husband has transferred my said area of land measuring 0.4345 acre or equal to 43.45 decimal to and in favour of said Smt Anjali Jaishwal and Sri Pankaj Jaishwal on the strength of cancelled General Power of Attorney having full knowledge that same has been cancelled by me by said numbered registered Deed of Cancellation/Revocation of General Power of Attorney. Their intention

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Solemnly Affirmed & Declared before me on identification  
SAMBHUNATH MODAK  
Notary (Govt. of West Bengal)  
Siliguri, Darjeeling



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*Handwritten signature*

*Handwritten note: filed by my lawyer*

is cheat my money and property and therefore, they have used false document for the purpose of cheating. My said property as fully mentioned in the schedule here-in-below is a costly property which present market value is more than Rs.1,65,00,000/- (Rupees one crore sixty five lacs) only and said persons jointly cheated my said money for their wrongful gain.

That said persons are jointly and severally tortured me continuously physically and mentally since long with an intention to grab my money and immovable property but I was compelled to bear their all torture for the interest of my family. It is not wise to accept their all types of illegal activities since long, therefore, I have decided to inform the entire facts before Matigara Police Station for proper justice as because I am exhausted at present due to their bad/illegal attitude and behavior. They had tried to kill me several times by different methods but each and every time God save me from their hands. It was my believe that good time will come but now, it is clear that they have a plan to ruined me for their illegal gain and due to this reasons, they are jointly deprived me and illegally sold my said land as fully mentioned in the schedule here-in-below falsely and illegally by using false and forged document with an intention to grab my money/property.

- 14. That the accused persons are trying to capture the said land of the complainant (though same is presently owned by her son Sri Deepak Jaishwal) by using said false and forged documents i.e. sale deeds and they had make several attempts in this regard in order to fulfill their evil desire but they failed to do so each and every time due to huge protest from the part of the said son of the complainant including local people
- 15. That I have joint bank account with my said husband in Central Bank of India at Khagaria, Bishwantganj, District - Khagaria, Pin Code -851204 being account no. 5127145404 but I have no power to operate said bank account as because my husband has always operate said bank account as per his desire and my husband has taken signed blank cheque from me in respect of said account and other bank accounts forcefully with some hidden intention and I am apprehending that my husband may misuse my signed blank cheque or already misused my signed blank cheque for his illegal gain with an intention to cheat my money. There is a probability that my husband may deposit said sale deeds mentioned consideration amount in my said account (though same not yet been

SAMBHUNATH MODAK  
Notary (Govt. of India)  
Siliguri, Darjeeling

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*Handwritten note: filed by my lawyer*

deposited in my said account) and thereafter, he may withdraw the same by using my signed blank cheque to fulfill his evil desire, therefore, your kind intervention is required in this regard. I have only information about my said joint account but I believe that I have more bank account except above with my husband in different banks which accounts is totally under the control of my husband who may misuse the same for his wrongful gain. The photocopy of said bank account statement annexed herewith marked as Annexure - J.

- 16. That the complainant went to the Matigara Police Station on 6/2/2023 to lodge F.I.R. against said persons whose name is clearly mentioned in the cause title of the petition for their aforesaid illegal act and activities but the Matigara Police Station did not received the complaint of the complainant and suggested to come on next date, thereafter the complainant again went to the Matigara Police Station on 7/2/2023 to lodge her complaint but said police station flatly denied to received the same without showing any cogent reason. The photocopy of said complaint dated 6/2/2023 is annexed herewith marked as Annexure - K.
  - 17. That the complainant has filed a complaint/F.I.R. dated 8/2/2023 before the Police Commissioner, Siliguri Police Commissionate on 8/2/2023 in related with the matter of non action of Matigara police and said complaint was duly received by the office of the Police Commissioner on 8/2/2023 with proper seal and signature. Said office of the Police Commissioner was assured to your complainant that the Matigara Police Station shall registered the case and shall take proper action within few days on the basis of the complaint of the complainant. The photocopy of said complaint dated 8/2/2023 is annexed herewith marked as Annexure - L.
  - 18. That the complainant has filed her written complaint to the Police Commissioner on 8/2/2023 and thereafter, the complainant waited about more than two weeks on the basis of the assurance from the office of the Police Commissioner for proper action but no action has been taken from the end of the Police Commissioner and the complaint of the complainant not yet been registered as F.I.R. by the Matigara Police Station.
- Present application is filed by the complainant for sending the complaint for the registration and investigation of the case to the Matigara Police Station U/s 156 (3) of the Criminal Procedure Code.

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Filed by  
Samskrunthi Modak

20. That the accused persons committed offence by a deep routed conspiracy with an intention to capture the said land of the complainant (through presently same is owned by her son Sri Deepak Jaishwal) forcibly by using false and forged documents having full knowledge same are not genuine and their entire act is a clearly case of forgery having intention to cheat the money/property of the complainant and the accused persons are continuously threatening to the complainant and her said son for dire consequence if the complainant informed the entire matter to the police station and the accused person no. 1 to 3 are jointly and severally abused your complainant several times and tortured upon her mentally and physically with an intention to kill her to kill their target, therefore, it is clear that the accused persons are committed offence U/s 420, 468, 471, 447, 498A, 506, 323, 307, Section 120B P.C.

**SCHEDULE OF THE LAND**

All that piece or parcel of land measuring 0.4345 acre in part of L.R. plot no 713, 714, 715, 716 and 717, recorded in L.R. khatian no. 6312, situated in Mouza - Gourcharan, J. L. No. 81, Police Station - Matigara, District - Darjeeling. Out of that area land measuring 0.1545 acre is under part of L.R. plot no.713, land measuring 0.01 acre is under part of L.R. plot no.714, land measuring 0.03 acre is under part of L.R. plot no.715, land measuring 0.08 acre is under part of L.R. plot no.716 and land measuring 0.16 acre is under part of L.R. plot no.717. Aforesaid area of land measuring 0.4345 acre is butted and bounded by as follows -

By the North - Railway land; By the South - 20 feet wide metal road, By the East - Sold land of Arabinda Singh & others, By the West - Land of Deepak Jaishwal.

In view of the above detailed facts and circumstances, it is humbly prayed that present application may kindly be accepted and present complaint may kindly be forwarded for the registration and investigation of the case to the Matigara Police Station U/s 156 (3) of the Criminal Procedure Code and please to direct the I.C. Matigara Police Station to treat this application as a F.I.R. and also direct the concerned Police Station to investigate the matter immediately for the ends of justice.

Solely Affirmed & Declared before me as per conditions  
SAMSKRUNTHI MODAK  
Notary Public, of India  
Siliguri, West Bengal

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

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**AFFIDAVIT**

I, Smt Ratan Devi W/o Sri Dayanand Jaishwal @ Dayanand Jaishwal, aged about 61 years, An Indian Citizen, Hindu by religion, Housewife by occupation, Permanent resident of House no 262, New Bhawana Jewellers, Kachari Road, P.O. & P.S- Khagaria, District - Khagaria, Pin -851204, State of Bihar, presently residing at Green View Apartment, Block 1, E-4, Upper Bhanu Nagar, Near Sai Hospital, Ward no. 43 of S. M. C, Siliguri Town, P. 5. - Bhaktinagar, District - Jalpaiguri, Pin-734008 do hereby solemnly affirm and declared as follows :-

1. That I am the petitioner of the present application and I am well conversant with the facts and circumstances of the present application.
  2. That the I. C., Matigara Police Station did not started any specific case against the above named accused persons till date over this written complaint.
- That the statements mentioned in paras 1 to 20 here-in-above are all true to the best my knowledge and believe and the rest are my humble submission before your good office.

That the statements made here-in-above are true to the best of my knowledge and believe and I sign this affidavit on this the 14/02/23 day of February 2023 at Siliguri Court.

**AFFIDAVIT**  
Solely Affirmed Before me  
Ratan Devi  
Upper Bhanu Nagar  
Identified by Magistrate  
this the 14th day of 2023

Declarant

This application drafted by me as per instruction and information of the declarant and read over and explained the contents of this application to the deponent and the deponent is identified by me.

Solely Affirmed & Declared before me as per conditions  
SAMSKRUNTHI MODAK  
Notary Public, of India  
Siliguri, West Bengal

Magistrate  
Advocate, Siliguri  
E No - F/1571/1447/2023

SAD