



1901

Darjeeling

P.S. Siliguri

Year 2023

FIR No. 301/23

Date 28.04.2023

D.P.E.

Sections 406/420/34

ii) Act

Sections

Sections

iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 03.03.2023 Date To

Time Period Time From Time To

(b) Information received at P.S. Date 28.04.2023 Time 20.15 hrs

(c) General Diary Reference : Entry No (s) 1639 Time 20.15 hrs

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 1.8 km North Beat No.

(b) Address HDFC Bank, Panitanki more Baramba, Siliguri

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant :

(a) Name Kajal Sahani

(b) Father's / Husband's Name W/O - Vijay Kumar Sahani

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

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

(f) Occupation

(g) Address Santolchi Nagar, near Bishnu mandir, W/N-05, Siliguri Dist - Darjeeling

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

(Attach separate sheet, if necessary):

- ① Employees of ICICI Bank Ltd. S-F ROAD Baramba, Siliguri,
- ② Employees of HDFC Bank Ltd. Panitanki Baramba, Siliguri

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

NOT mentioned

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

① RS - 40,00,000

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 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 ASI Surant Mallick of PNT 109 to take up investigation / refused investigation / transferred to P.S. Siliguri PS 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.

Noted in written complaint

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge Police Station

Name: Amartya Chakraborty

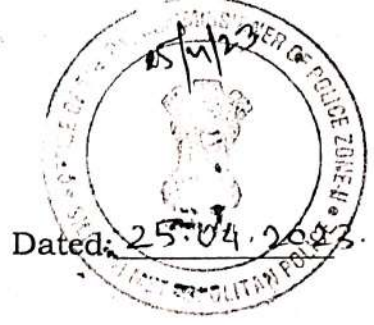
Rank : No. 82 of 2018

Siliguri Police Station Siliguri Police Commissionerate

15. Date & Time of despatch to the court :

On 29.04.23 at 10.30 am

Received on 28.04.23 at 20.15 hr.
vide Siliguri PS WD E No. 1639 dt- 28.04.23
and started Siliguri PS case no. 301/23
dt- 28.04.23 v/s 406/120/23 IPE and
engaged to add further material of
to P for in investigation.



To,
The Additional Deputy Commissioner of Police (West Zone),
Siliguri Police Commissionerate,
Siliguri.

Dear Sir,

I, Smt Kajal Sahani, Wife of Sri Vijay Kumar Sahani, resident of Santoshi Nagar, near Bishnu Mandir, Ward no.5, Siliguri, Post Office-Siliguri Bazar, Police Station-Siliguri, District- Darjeeling, PIN-734005 would like to apprise your good office against certain illegalities committed by the employees of ICICI Bank Ltd., S.F. Road Branch, Siliguri and HDFC Bank Ltd., Pani Tanki Branch, Siliguri who are hand in gloves with each other.

The gist of the whole issue is that my husband is a reputed business person and deals in the business of scrap paper under the name and style "Shri Shyam Trading Co." situated at Salugara, Siliguri. Though the business is conducted, managed and looked after by my husband but the bank account (current account bearing account no.192905001406) with ICICI Bank, S.F Raod, Siliguri is in my name. In the course of business a deal was struck with one Urbansoul Creation Private Limited of Ghaziabad, Uttar Pradesh through Sri Akash Sharma, who is an agent of the said company. It was orally agreed by and between the parties that on payment of Rs.50,00,000/-to my husband, a consignment of scrap paper would be delivered to Urbansoul Creation Private Limited of Ghaziabad, Uttar Pradesh.

Accordingly a demand draft dated 02.03.2023 amounting to Rs.50,00,000/- bearing no. 505293 drawn on ICICI Bank in favour of Shri Shyam Trading Co. was prepared by Urbansoul Creation Private Limited.

The Demand draft was handed over to my husband on 03.03.2023. Owing to business exigencies and for sending the consignment to Urbansoul Creation Private Limited of Ghaziabad, Uttar Pradesh on urgent basis, my husband presented the said demand draft before ICICI Bank, Shibmandir Branch, Siliguri. The officials of ICICI Bank, Shibmandir Branch, Siliguri after thoroughly verifying the credentials of the said demand draft, cleared the same on 03.03.2023 and the amount was deposited in my current account.

IC Siliguri PS/
OC Panitanci
TOP
Please register
an FIR and
start investigation.

26/4/23
Commissioner of Police (West Zone)
Siliguri Police Commissionerate
Siliguri

Kajal Sahani

MEMO NO. 762/23 /DCP (ZONE-I)SMP
DATED 26 / 04 / 2023

R 668 /23 /DCP (ZONE-I)SMP
DATED 25 / 04 / 2023

It is pertinent to mention here that I have three bank accounts (two current and one savings) operating with HDFC Bank, Panitanki Branch, Siliguri. The three accounts are

- i. Current Account in the name of Shri Shyam Trading Co. bearing account no. 50200066192881,
- ii. Current Account in the name of Scrap Point Pvt. Ltd. bearing account no. 50200054288867 and,
- iii. Savings Account in the name of Kajal Sahani bearing account no. 59140003032020.

Accordingly on 03.03.2023 an amount of Rs.49,00,000/- was transferred by way of RTGS to the Current Account in the name of Scrap Point Pvt. Ltd. bearing account no. 50200054288867 and thereafter an amount of Rs.24,00,000/- was transferred from the said Current Account bearing account no. 50200054288867 to the current account in the name of Shri Shyam Trading Co. bearing account no. 50200066192881.

Unfortunately, on the very next date i.e., on 04.03.2023 all the three accounts standing in my name were freezed by the Branch Manager, HDFC Bank, Panitanki Branch, Siliguri without any prior intimation to me. Upon enquiry, the official of HDFC Bank verbally and casually informed us that the bank account was freezed owing to an alleged e-mail sent by another bank.

It is quite astonishing as to how the bank accounts were freezed on the alleged e-mail sent by another bank. Pertinent to mention herein that even on repeated request a copy of the said alleged e-mail has not been provided to us nor any written intimation was provided to us.

No proper explanation has been put forward by the official of the HDFC Bank as to why the bank accounts have been freezed. The bank accounts are my property and is a constitutional right guaranteed under the Constitution of India and the same cannot be paralyzed by an unlawful and illegal seizure.

Moreover, the bank accounts have been freezed without any prior notice and intimation. On being asked, no cogent and plausible explanation has been put forth by the bank official as to the actual reason for freezing the bank account. The bank officials also did not feel it necessary to hand over a copy of the alleged email at the instance of

Kajal Sahani

which the bank accounts were freezed. Thus, the freezing of the three bank accounts cannot be legally sustained and is absolutely illegal.

The bank officials have miserably failed to provide me under which authority of law or direction of law enforcement agency or guideline of RBI, the bank accounts have been freezed. It is a settled position of law that any Bank account can be freezed only by an order of a competent court of law or by an investigating agency.

I have several times visited the HDFC Bank, Panitanki Branch, Siliguri and have requested the Branch Manager namely Sri Biswajit Majumder (Mobile-98306-24543), to provide cogent documents and/or proper explanation in respect of freezing of my bank account but the Branch Manager has failed to provide any document nor any satisfactory reason with regards to freezing of the bank accounts. The one and only answer provided by Sri Biswajit Majumder is he has power to freeze the account.

Finding no other alternative, I have also sent a Legal Notice to the HDFC Bank, Panitanki Branch, Siliguri and also to ICICI Bank, S.F. Road, Branch through my Advocate Sri Deborshi Dhar on 14.03.2023 with a request to defreeze and regularize my account. Both the banks have received the notice on 18.03.2023 but kept silent over the matter nor have they replied in respect of the Legal Notice sent by my Advocate on my behalf.(Photocopy of the Legal Notice dated 14.03.2023 sent to both the banks along with the postal receipts and tracking report is collectively annexed herewith and marked as **Annexure-A**).

Again on 17.04.2023 another legal notice has been served 'by hand' through my Advocate Sri Deborshi Dhar to the Branch Manager, HDFC Bank, Panitanki Branch, Siliguri but no positive response has been provided by the Branch Manager namely Sri Biswajit Majumder. (Photocopy of the Legal Notice dated 17.4.2023 served by hand along is annexed herewith and marked as **Annexure-B**).

I anticipate that the Branch Manager namely Sri Biswajit Majumder in connivance and in collusion with other bank officials is cheating me by not letting me access my own account. More than a month has passed and I am facing irreparable financial loss and injury owing to the illegal act committed by Sri Biswajit Majumder, the Branch Manager of HDFC Bank, Panitanki More Branch. Further Sri Biswajit Majumder has not provided me a single piece of paper or any order of any Ld. Court and / or any direction by any law enforcement agency for

Kojal Sahani

freezing of my bank accounts. The mere silence and illegal act of the branch manager also puts a thought in my mind that the Branch Manager is somehow or the other is interested in an offer of bribe from my end and according finding no other alternative I lodged a written complaint on 18.04.2023 with the Officer-in-Charge, Panitanki T.O.P., Under Siliguri Police Station (Photocopy of the written complaint dated 18.04.2023 is annexed herewith and marked as **Annexure-C**).

Most surprisingly on 21.04.2023, I received two letters dated 09.03.2023 both addressed to me and one addressed to another partner Smt. Renu Shaw from HDFC Bank Limited, Panitanki Branch intimating me that debit freeze has been marked on my current account ending with 8867 and 2881 both as on 04.03.2023. (Photocopy of the both the letters issued by HDFC Bank Ltd., Panitanki Branch is annexed herewith and collectively marked as **Annexure-D**).

From the bare perusal of the said letters it can be easily seen the said letters neither bears any employee name nor employee code. Moreover upon receipt of the said letters I immediately contacted with the courier company namely New super fast express and addressed a letter dated 21.04.2023 wherein I sought information regarding the date of booking of the letter as well as the date of delivery of the letter. It is noteworthy to point out that the said courier company also received my letter and provided me with a copy of the booking details specifically containing the date of booking of the consignment which clearly reads as 18.04.2023 as such it is crystal clear that HDFC Bank Limited, Panitanki Branch had booked the consignment on 18.04.2023 for the letter back-dated by them on 09.03.2023. (Photocopy of the Letter dated 21.04.2023 addressed to New Super Fast Express and the details provided by them is annexed herewith and collectively marked as **Annexure-E**).

Thereafter on 21.04.2023, I sent a written representation dated 21.04.2023 pointing out towards the discrepancies in the said letters dated 09.03.2023 by way of an email addressed to the Bank Manager of the HDFC Bank Ltd., Panitanki Branch in his official email id-biswajit.majumder@hdfcbank.com but most unfortunately, I have not received any reply against the same. (Photocopy of the replies dated 21.04.2023 addressed by me in response to the alleged letter dated 09.03.2023 and the picture of the email communication dated 21.04.2023 is annexed herewith and collectively marked as **Annexure-F**).

During the course of my conversation with the police officials of Panitanki Outpost I learnt that a case has been registered by ICICI Bank on 18.04.2023 against me before the Matigara Police Station based on absolute false and bogus allegations without any rhyme and reason. (Photocopy of the Formal FIR and the written complaint is annexed herewith and marked as **Annexure-G**).

Sir, I have been running from pillar to post but have been illegally restrained from accessing my own money and by illegally holding on to my hard earned money I have also been deprived from my right of earning interest and profit which I could have earned. Both the banks have committed illegalities in active collusion and connivance with each other and have also committed an offence of misappropriation of funds by preventing me from accessing my own money. Both the banks have further committed the offence of cheating against its own customer by inducing me to open accounts in their bank and thereafter stopping me from using my own funds by illegally freezing my accounts.

In the above facts and circumstance, I hereby request you to unearth the truth, investigate the matter and book the culprits of HDFC Bank Ltd., Panitanki Branch and ICICI Bank, S.F. Road Branch and other unknown miscreants in accordance with the provisions of law. I further request for your immediate intervention to defreeze and regularize my bank accounts.

-Thanking You.

Kajal Sahani

[KAJAL SAHANI]

Wife of Sri Vijay Kumar Sahani

Mobile:7001920755