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1. Dist. Darjeeling P.S. Siliguri Year 2023 FIR No. 318/2023 Date 06.5.2023  
 2. i) Act. X Sections X ii) Act. I.P.C. Sections 406/420/34/120-8  
 iii) Act. X Sections X iv) Others Acts & Sections —  
 3. (a) Occurrence of offence : Day — Date From — Date To 04.12.2020  
 Time Period — Time From — Time To —  
 (b) Information received at P.S. Date 06.5.2023 Time 20:35 Hrs.  
 (c) General Diary Reference : Entry No (s) 357 Time 20:35 Hrs.  
 4. Type of Information Written Written / Oral —  
 5. Place of Occurrence : (a) Direction and Distance from P.S. 01.5 KM. (approx) Beat No. —  
 (b) Address 103/322/1/A/286, Shantikunj, S.P. Mukherjee Road, Siliguri, P.O. + P.S. Siliguri, Dist. Darjeeling  
 (c) In case outside limit of this Police Station. then the X  
 Name of the P.S. — District —

6. Complainant / Informant :  
 (a) Name Anup Perival  
 (b) Father's / Husband's Name Binod Kr. Perival  
 (c) Date / Year of Birth — (d) Nationality Indian  
 (e) Passport No. — Date of Issue : — Place of Issue —  
 (f) Occupation Proprietor Blue Horse Sales Corporation  
 (g) Address 103/322/1/A/286, Shantikunj, S.P. Mukherjee Road, Siliguri, P.O. + P.S. Siliguri Dist. - Darjeeling

7. Details of known / suspected / unknown accused with full particulars ① Lalit Kumar Banthia, s/o - Late Binod Kumar Banthia of 56, N.S. Road, 4th Floor, Room No. 31, Kolkata - 70001 who claimed himself as proprietor of M/S Global Bitumin and some other concerns, ② Mitesh Jain, brother-in-law of accused SI. No. 1, Proprietor of Jai Jalaram Sales Corporation 213, Sarat Bose Road, Kolkata - 700029

8. Reasons for delay in reporting by the Complainant / Information After receiving the notice from the GST department there were rounds of talks held in between parties.

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : Misappropriated amount of Rs. 43,65,401.53/-

10. Total value of properties stolen / involved Rs. 43,65,401.53/-

11. Inquest Report / U.D. Case No. If any X

12. FIR Contents (Attach separate sheets, if required) : The original written complaint of the complainant which has been treated as FIR is enclosed herewith.

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 Kr. Paul 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.

Noted in original complaint.

14. Signature / Thumb impression of the Complainant / Informant  
 15. Date & Time of despatch to the court : On 07.5.2023 at 10:30 Hrs.

Kth 06.5.2023  
 Signature of the Officer-in-Charge, Police Station  
 Name : DEBABRATA SENGUPTA  
 Rank : No. S.I. (P.O. Charge)  
 Siliguri Police Station  
 Siliguri Police Commissionerate

Ref: .....

Date: .....

To,  
The Officer-In-Charge  
Khalpara Town out Post  
Under Siliguri Police Station  
Siliguri Police Commissionerate  
Siliguri

Dated: 06.05.2023

Subject: First Information Report.

I the undersigned would like to inform you that in the year 2011 started working with one Lalit Kumar Banthia, son of Late Binod Kumar Banthia and Laxmi Devi Banthia, place of business 56, N.S. Road, 4<sup>th</sup> Floor, Room No. 31, Kolkata - 700001, Mobile: 93393-93160 and in the year 2019 he informed me that he started a new firm under name and style M/S Global Bitumin and also informed me that he is associated with other firms who deals in supply of Bitumin throughout India. Thereafter, <sup>2016</sup> as per requirements I have placed orders with said Lalit Kumar Banthia for purchasing Bitumin and as per orders he has supplied the materials vide different firms namely 1) Jai Mata Di Enterprise, 2) Vinayak Bituminions, 3) Shubham Petro Products, 4) Jai Jalaram Sales Corporation, 5) Globe Bitumin, 6) Satyam Enterprise 7) Mohan Infrarealty Pvt Ltd.

The ledgers of the said transactions are annexed herewith from page no. 1 to 16



# Blue Horse SALES CORPORATION

GST No.: 19AEGPP5309H1ZB

PAN No. : 19AEGPP5309H

Ref: .....

Date: .....

1. That payments were made accordingly as per the invoices.
2. That in 4.12.2020 I received a letter from Md. Sayeb Alam Assistant Commissioner, Bureau of Investigation, Noth Bengal, Head Quarters, S.G.S.T. and in the said letter it was alleged that the transactions between Jai Mata Di Enterprise having GSTIN: 10ARGPT2264A1ZC amounting to Rs. 39,87,463.53/-, Vinayak Bituminous having GSTIN: 19CNAPD4980K1ZQ amounting to Rs. 1,11,444.74/- are inadmissible. Hence, I have to reverse the inadmissible ITC along with interest and penalty u/s 74 (5) of the CGST & WBGST Act of 2017. After receiving such letter from the GST department I tried contacting with the said Lalit Kumar Banthia but I received no positive approach from him.
3. That thereafter on 06.12.2022 I received demand notice from one Mr. Suvranil Saha for Rs. 78,95,250/- who represented himself as Advocate of M/s Global Bitumin. The said notice was suitably replied by my Advocate namely Taniya Roy on 20.01.2023.
4. That from the entire transaction what I could figure out is that said Lalit Kumar Banthia falsely impersonating himself as proprietors of several concerns and supplied Bitumins to several companies through several entities whereas some of the firms were fake and said Lalit Kumar Banthia dishonestly received and

Blue Horse Sales Corporation  
*Anup Periwal*  
Proprietor

GST No.: 19AEGPP5309H1ZB

# Blue Horse SALES CORPORATION

PAN No. : 19AEGPP5309H

Ref: .....

Date: .....

misappropriated the GST amounts collected from the purchasers without depositing the same with the GST departments.

To my utter surprise it is also a fact that the said notice served by Mr. Suvranii Saha, Advocate did not bear name of the proprietor/proprietors of M/s Global Bitumin and I believe that the said notice was also served as per instructions of said Lalit Kumar Banthia. There is a substantial delay in lodging the complaint because after receiving the notice from the GST department there were rounds of talks held in between me and the said Lalit Kumar Banthia and he informed that the inadmissible ITC shall be paid by him to the department but without doing the same he has served lawyers demand notice to me.

It is pertinent to mention here that same kind of fraudulent act was done by said Lalit Kumar Banthia with other persons also and they have also received notices from the GST department.

In this conspiracy his brother-in-law Mitesh Jain proprietor of Jai Jalaram Sales Corporation, place of business 213, Sarat Bose Road, Kolkata - 700029, Mobile: 82408-42605/ 99032-46470 is also involved actively.

5. That all the payments made to the entities supplying bitumins including the firms where GST amounts have been misappropriated by Lalit Kumar Banthia were made by my bank account maintained with Axis Bank Limited, S.F. Road Branch under this Police Station.

Blue Horse Sales Corporation

Anup Reswal

Proprietor

# Blue Horse SALES CORPORATION

GST No.: 19AEGPP5309H1ZB

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Ref: .....

Date: .....

Under this circumstances I therefore request before your kind office to book Lalit Kumar Banthia under suitable provisions of law and thereby recover the misappropriated amount of Rs 43,65,401.53/-

Thanking You

Yours faithfully  
Blue Horse Sales Corporation

Anup Periwaj

Anup Periwaj Proprietor  
S/o Bimod KR PERIWAL  
Proprietor

103/ 322/ 1/ A/ 286, Shantikunj,  
S.P. Mukherjee Road, Siliguri,

Post Office and Police Station: Siliguri,

District: Darjeeling, Pin Code: 734001

Mobile: 94340-00682/ 70017-49785

Annexures:

1. Photocopy of Ledger Accounts
2. Photocopy of Notice of GST
3. Photocopy of Notice of Suvranil Saha
4. Photocopy of Reply Notice.
5. Photocopy of Adhaar card of Lalit Kumar Banthia

Received on

06.5.2023 at

20:35 hrs. vide

Siliguri P.S. GDE

no. 357, date-

06.5.2023

and started

Siliguri P.S.

case no. 318/23

date - 06.5.23,

u/s 406/420/34/

120-B IPC. SI Nilip Kr. Paul has been

endorsed for its investigation.

kh  
06.5.2023.

Received on 06.05.23 at 20:15 hrs  
vide khulpara TOR S.D. E No - 146  
dt. 06.05.23 and forwarded to ITC  
SLS P.S. to start a specific case  
under proper sec. of Law.

06/05/23

Police