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1. Dist. SPE P.S. Maligana Year 2023 FIR No. 382/2023 Date 21/05/20232. i) Act. IPC Sections 406/420/506 ii) Act. Sections

iii) Act. Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 02/01/2015 Date To 1:11 Date

Time Period Time From Time To

(b) Information received at P.S. Date 21/05/2023 Time 11:15 hrs(c) General Diary Reference : Entry No (s) 1803 Time 11:15 hrs4. Type of Information Written Written / Oral

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

(b) Address Manza-Taxi P.S-Maligana, Dist-Darjeeling(c) In case outside limit of this Police Station, then the N/A

Name of the P.S. District

6. Complainant / Informant :

(a) Name Anebinda Bha(b) Father's / Husband's Name LT. Dharendra Ch. Bha(c) Date / Year of Birth (d) Nationality Indian

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

(f) Occupation

(g) Address Ward No-11-Matlabhanga municipality, PO+PS-Matlabhanga, Coorabohar

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

(Attach separate sheet, if necessary) :

Nityananda Roy.

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 isforwarded as FIR is reproduced overleaf.21/05/202313. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., Registered the case and took up theinvestigation / directed SI Kalipada Barman to take upinvestigation / refused investigation / transferred to P.S. on point ofjurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant /

informant free of cost.

21/05/202314. Signature / Thumb impression Noted in original Signature of the Officer-in-Charge, Police Stationof the Complainant / Informant complaint Name RIPUL TALUKDAR15. Date & Time of despatch to the court : On 22/05/2023 at 11:00 hrs. Rank : No. SI of POLICE, MTO P.S. SPE.

ne Inspector-in-Charge,
Matigara Police Station,
Dist-Darjeeling, PIN-734010, W.B.

Received on 21/05/23 at 11:15 Rs vide
MTG 13 CODE NO- 1809 21- 21/05/23 &
started MTG PS case NO- 382/23 21-
21/05/23 W/S- 406/420/506 TPC & endorsed
to SI Kalipada Barman for his investi-
gation.

21/05/2023
Officer-in-Charge
Matigara Police Station
Dist-Darjeeling

Sub: "FIR against Nityananda Roy for cheating and criminal misappropriation of Rs.6,00,000/- (Six Lakhs)." Sir,

With due honour I would like to inform you that I, Sri Arabinda Bir, S/O Lt. Dharendra Ch Bir resident of Ward No.11, under Mathabhanga Municipality, P.O. & P.S. Mathabhanga in the District of Cooch Behar, Pin Code-736146, do hereby lodge this FIR against the accused person whose name and address is given below to the effect that I wanted to purchase a land measuring 5 (Five) Kathas of Land situate within the area of Matigara, P.S. Matigara, Dist- Darjeeling for construction of a building.

That the accused Nityananda Roy is a land broker and I became acquainted with him through one Hitesh Roy, Teacher of Victoria Boys' School, P.O. Dow Hill P.S. Kurseong, Dist- Darjeeling. That said Hitesh Roy was known to me for a long time having a very good relation with me since long. That said Hitesh Roy assured me that the accused is reputed well known land broker having no bad reputation and I can depend upon him without any hesitation.

That on 02.01.2015 the accused took me in the land which he has arranged for me at Mouja Tari under Matigara P.S. That the accused also introduced me with the land owner at Siliguri who normally resides in Bangalore. That the land owner also told me that as she resides outside of West Bengal. She has entrusted the accused to make all necessary arrangements for selling of the said land. That in the mid part of the Month of January 2015 the accused stated that land owner is in urgent need of Rupees Six Lakhs and requested me to pay the said amount to him and he will send the said amount to the land owner. That on 02.02.2015 I, in bonafied belief and faith paid a sum of Rs.6,00,000.00 (Rupees Six Lacs) to the accused by cash to be paid to the land owner and the accused received the said amount of money from me by issuing a money receipt dated on 02.02.2015 in favour of me. Thus the accused was entrusted with the said matter of purchasing the land measuring 5 Kathas within the area of Matigara P.S. Dist- Darjeeling.

That subsequently the accused has failed to purchase the said five kathas of land for me for the reason best known to the accused nor he paid the said some of Rupees Six Lakhs to me. That the accused thereafter tried to avoid me on various pretexts. That ultimately on 14.06.2022 the accused made an affidavit dated on 14.06.2022 before a Notary, Govt. of India, of Siliguri to the effect that the accused will pay back the said entire full amount of Rupees Six Lakhs with a period of three months from the date of said affidavit that the accused did not pay me the said sum of Rupees Six Lakhs even after the expiry of the aforesaid period and even long thereafter.

That even thereafter I went to the house of the accused on several times but in every occasion the accused avoided the payment of the said Six Lakhs of Rupees on some flimsy grounds. Lastly on 15.12.2022 the accused assured me that he has already applied for a loan of Rs.6,00,000.00 (Rupees Six Lakhs) from a bank and expected to get such loan within 15 days and shall make payment of the entire amount of Rupees Six Lakhs to me positively. That again accused failed to pay me the said amount. That on 31.12.2022 the accused send a message in my Mobile Phone stating interalia that it will take further three weeks to get the loan and the accused further stated that after getting the loan he will transfer the said loan amount in my Bank Account. That four months elapse since 31.12.2022 but the accused neither make payment of the aforesaid amount nor make any attempt to make the payment.

That as a last attempt to recover the aforesaid amount on 07.05.2023 I went to the house of the accused and demanded and asked him to pay me the aforesaid amount of Rupees Six Lakhs at which the accused became furious and abused me with filthy language. He denied me to pay the said amount and threatened me not to come to his house again regarding the said matter with dire consequences.

That I, on bonafied belief paid Rupees Six Lakhs to the accused for purchasing Five Kathas of Land within Matigara P.S. believing that the accused will make such arrangement of land. That I have entrusted the said amount to the accused for the said purpose and the accused having complete dominion over the said amount of Rupees Six Lakhs dishonestly misappropriated the said amount for his own use and committed the offence of criminal breach of trust.

That the accused introducing himself as a reputed land broker and taking the advantage of my eagerness to purchase five kathas of Land within Matigara P.S. with an intention to deceive me fraudulently and dishonestly induced me to give him Rupees Six Lakhs and neither the accused arranged five kathas of land for me nor the accused refunded me the said amount and in such a way he cheated me and committed an offence of cheating.

In the above fact and circumstances, it is most humbly prayed that you would be kind enough to investigate the above matter by starting a specific case against the accused person and take appropriate legal step against the accused.

Yours faithfully,

Arabinda Bir
(Arabinda Bir) 21/05/2023

Address- Ward No.11, East Bandh Road,
Nagar Mathabhanga, P.O. & P.S. Mathabhanga,
Dist- Cooch Behar, Pin-736146, W.B.
Contact No.8670639555(M)