

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



2-55

1. Dist. SPC P.S. Matigara Year 2023 FIR No. 401/23 Date 28/05/23
2. i) Act. JPC Sections 177/211/389/477A/506 Sections
iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 18/04/23 Date To till date
Time Period Time From Time To

(b) Information received at P.S. Date 28/05/23 Time 17:30 hrs

(c) General Diary Reference : Entry No (s) 2201 Time 17:30 hr

4. Type of Information Written Written / Oral

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

(b) Address Mexican Motors Kusum Nagar P.S. Matigara Dist. Durgachang

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

6. Complainant / Informant :

(a) Name Uday Lal Roy

(b) Father's / Husband's Name Suklal Roy

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

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

(f) Occupation

(g) Address Fondaibani Dalagram P.S. Bhaktinagar Dist. Jalpaiguri

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

(Attach separate sheet, if necessary) :
1. Bishal Sureka, General manager of Mexican Motors.

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

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

1. One used vehicle bearing no- WB06E 5911

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 here with/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 M.d. Aminul Islam

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 Noted in Original Complaint Signature of the Officer in Charge, Police Station Name: BIPUL TALUKDAR Rank : No. SI OF POLICE

15. Date & Time of despatch to the court on 29/05/23 at 11:00 hrs



114
86

Uday Lal Roy

FILED BY
Sandip Mandal
Advocate/Siliguri

IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL
MAGISTRATE AT SILIGURI

REF : MISC. PETITION NO. 24 / 2023



OTHER MATTER OF

: AN APPLICATION U/S - 156
(3) OF Cr.P.C.

NAME & ADDRESS OF
THE COMPLAINANT

: SRI UDAY LAL ROY
S/o Suklal Roy
Resident of Fokdoibari,
Dabgram, P.S Bhaktinagar,
Dist. Jalpaiguri

NAME & ADDRESS OF
THE ACCUSED
PERSONS

: SRI BISHAL SUREKHA
Father's Name Not Known
General Manager of Lexican
Motors, An Unit of Reliance
Industrial Consortium Ltd., An
Authorized Dealer of TATA
Motors, Kusum Nagar,
Matigara, P.O. & P.S. Matigara,
Dist. Darjeeling,
PIN- 73401011

SOLEMNLY AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION
20/05/23
SIBANI CHAKRABORTY
Notary, Siliguri
Appointed by Govt. of India
Siliguri, Dist.-Darjeeling

NAME AND ADDRESS
OF THE WITNESSES

1. SRI GOPAL SUTRADHAR
S/o. Sri Narayan Sutradhar,
Resident of Rabindra Nagar,
P.O. Rabindra Sarani, P.S.
Siliguri, Dist. Darjeeling,
PIN- 734006

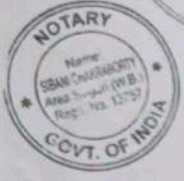
Received on 28/05/23 at 17:30 hrs vide
Matigara PS Case 404/23 Dtd. 28/05/23 D/S
177/211/384/297-A/506 IPC and endorsed
to SI Amrinal Islam for its investigation

18
28/05/23
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate



Udaykumar Roy

FILED BY
Sankarjit Kundu
Assistant Magistrate



2. SRI BISWAJIT NAG CHOWDHURY
S/o. Late Prolay Kumar Nag Chowdhury,
Resident of Subhashpally,
P.O. Subhashpally, P.S. Siliguri, Dist. Darjeeling,
PIN- 734001

OFFENCE COMMITTED : Under Section 177, 211, 384, 477-A, 506 of The Indian Penal Code.

The complainant above named begs to state as follows:

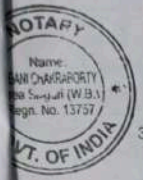
1. That the complainant decided to purchase an used vehicle for his own purpose and on searching of the various second hand used vehicle dealers in the different places the complainant got an information from a reliable source that an used four wheeler is displayed in an old car showroom M/S. R.N. Diesel situated at Rabindra Nagar, P.O Rabindra Sarani, P.S Siliguri, Dist. Darjeeling. That the complainant went to the said showroom and found the said used four wheeler (Maruti Suzuki Wagon R LXI) bearing registration no. WB 06E 5911, and apparently seeing the said four wheeler the complainant was quite satisfied and after the test drive and negotiation of the price of the said vehicle with the said dealer, the complainant decided to purchase the said used vehicle and the complainant paid the agreed consideration to the said dealer and took the physical possession of the said vehicle on 18.03.2023 alongwith its

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Udaykumar Roy

FILED BY
Sankarjit Kundu
Assistant Magistrate



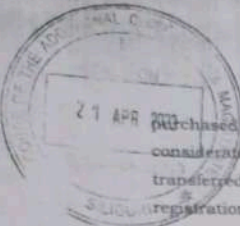
Insurance Policy, Pollution Certificate, Road Tax Receipt etc. and the process of registration has been done on 27.03.2023 in the name of the complainant in the presence of its previous owner namely Sri Adarsh Lama, S/o. Manoj Lama, before A.R.T.O Kalimpong and since then the complainant has been plying the said four wheeler as the registered owner of the same.

3. That it is pertinent to mention here that on 13.04.2023 the complainant received a phone call from an unknown number and said caller introduced himself as a police personnel and told the complainant that the said used vehicle was stolen one and the complainant has to surrender the said vehicle to Lexican Motors, Matigara and the said caller has also provided the complainant a phone number i.e. 9830802612 and asked the complainant to contact with him immediately for avoiding further complication.

4. That after getting the said phone call the complainant was in utter disbelief and the complainant contacted in the said given number and the said call attendant introduced himself as a General Manager of Lexican Motors namely Sri Bishal Surekha and he misbehaved with the complainant by saying irrelevant and unnecessary statements and directed the complainant to produce the said vehicle to him and on asking about the fault of the complainant, said Mr. Surekha abused filthy languages and threatened the complainant that he will send the complainant behind the bar for ever.

5. That being an innocent and layman having no idea about the legal aspect, the complainant became very confused and felt helpless but after elapsing few times the complainant contacted with the said dealer and the complainant narrated him everything but he assured me that the complainant has

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Sibani Chakraborty

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Notary, Siliguri

purchased the said used car from its true owner against the consideration and the name of the said used car duly transferred through the registering authority after payment of registration fees to the state of West Bengal.

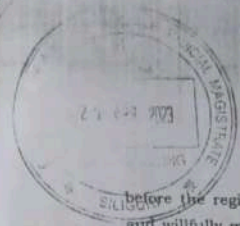


6. That thereafter the complainant got an information that said general manager namely Mr. Surekha on behalf of Lexican Motors lodged a complaint to the Matigara Police Station few days back and on searching the complainant found that one case has been registered being Matigara P.S Case no. 197/2023 and in the said complaint the complainant found that the registration number of his used vehicle has been shown in a list of vehicles therein. On further query in the official website of Ministry Of Paribahan the complainant found that the registration number of my vehicle is shown as 'locked'.

7. That the complainant could understand that the said General Manager namely Mr. Surekha has lodged a false complaint knowingly well the allegations are made therein are collusive and cooked up story and it is merely the disputes and differences amongst their own employees and staffs and for putting the pressure upon the complainant with the threatening to implicate the complainant in a false criminal case and deliver the own purchased and registered vehicle of the complainant to him and thus the said persons is trying to extort the complainant by using the state machineries most unlawfully and illegally and for the ulterior motive and illegal gain.

8. That the accused person has received the consideration of the used vehicle from the used car showroom dealer and delivered the physical possession of the said used vehicle along with its documents to the said dealer and the complainant purchased the same following the registration through the predecessor

SOLENNY AFFIRMED & DECLARED
BEFORE ME ON IDENTIFICATION
28/04/23
SIBANI CHAKRABORTY
Notary, Siliguri
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Siliguri, Dist.-Darjeeling



Sibani Chakraborty

FILED BY
Sibani Chakraborty
Notary, Siliguri

before the registering authority but accused person definitely and willfully mismanaged the said transaction and altered the same to defraud and for avoiding the legal consequence gave a false information to the police authority knowingly well the said statement are false and on the basis of manipulation of books of entry with an intent to injure and implicate the complainant in a false criminal case and accused person has also threatened the complainant to deliver the said vehicle to him illegally for his ulterior motive and illegal gain.



9. That the complainant on 17/03/2023 informed the entire incident to the Commissioner of Police, Siliguri Police Commissionerate as a written complaint but no action has been taken by the said authorities till date.

10. That the present petition is true and bonafide.

Under the above circumstances, it is humbly prayed that Your Honour would graciously be pleased to send this complaint to the Officer-In-Charge, Matigara Police Station and with a direction to investigate the matter after treating this complaint as FIR as per the provision of section 156 (3) of Cr.P.C. for the ends of justice.

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

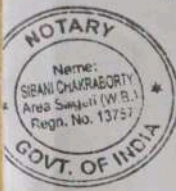
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I, **SRI UDAY LAL ROY**, S/o. Suklal Roy, aged about 34 years, Hindu by religion, businessman by occupation, resident of Fokdoibari, Dabgram, P.S. Bhaktinagar, Dist. Jalpaiguri, do hereby solemnly affirm and declare as follows:

1. That I am the complainant of this present case.
2. That the statements made in paragraph no. 1 to 10 are true to the best of my knowledge and belief.
3. That no case has been started against the complaint dated 17.04.2023.

I sign this affidavit on this 20th day of April, 2023.



SOLEMNLY AFFIRMED & DECLARED BEFORE ME ON IDENTIFICATION
20/04/23
SIBANI CHAKRABORTY
Notary, Siliguri
Appointed by Govt. of India
Siliguri, Dist.-Darjeeling

AFFIDAVIT
Solemnly Affirmed Before Me
By Uday Lal Roy
of Siliguri
Identified by A. Chandra Moh
This the 20th day of April
At PMIA/M

Uday Lal Roy
Deponent
Identified by me

A. Chandra Moh
Advocate / Siliguri
F/344 / 892 / 2020

by Suklal Roy

In The Court Of The **LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE AT SILIGURI**



Ref:- NHC. Case No. 24/2023

Uday Lal Roy
- Complainant
vs
Bishal Suresh
- Accused Person

• LIST OF DOCUMENTS FILED ON BEHALF OF THE COMPLAINANT •

1. PHOTOCOPY OF THE CERTIFICATE OF REGISTRATION OF UDAY LAL ROY.
2. PHOTOCOPY OF THE CERTIFICATE OF REGISTRATION OF ADARSH LAMA.
3. PHOTOCOPY OF THE NO OBJECTION CERTIFICATE.
4. PHOTOCOPY OF AADHAR CARD OF ADARSH LAMA.
5. PHOTOCOPY OF PAN CARD OF ADARSH LAMA.
6. PHOTOCOPY OF MATRICAL FILE NO. 192/73.
7. SCREENSHOT OF LOCKED STATUS OF KALIMPONG, ETO.
8. SCREENSHOT OF LOCKED STATUS OF DARJEELING, ETO.
9. PHOTOCOPY OF WRITTEN COMPLAINT TO SILIGURI POLICE COMMISSIONERATE DATED 17-04-2023.