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1. Dist. SPC P.S. Bhaktinagar Year 2023 FIR No. 434/23 Date 31/5/2023
 2. i) Act IPC Sections 451/427/323/379/34 ii) Act — Sections —
 iii) Act — Sections — iv) Others Acts & Sections —

3. (a) Occurrence of offence : Day — Date From 17/5/2023 Date To —
 Time Period — Time From 17.00 hrs. Time To —

(b) Information received at P.S. Date 31/5/2023 Time 15.35 hrs.

(c) General Diary Reference : Entry No (s) 1476 Time 15.35 hrs.

4. Type of Information — Written / Oral

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

(b) Address Kamar Para under Bhaktinagar P.S.

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

Name of the P.S. — District —

6. Complainant / Informant :

(a) Name Smt. Bakul Rani Das

(b) Father's / Husband's Name Mr. Nareesh Ch. Das

(c) Date / Year of Birth 75 years (d) Nationality Indian

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

(f) Occupation —

(g) Address Thakur Nagar Kamar Para, PS - Bhaktinagar, Dist - Jharkhand

7. Details of known / suspected / unknown accused with full particulars ① Gobindo Dey S/o - Mr. Amal Dey,

② Smt. Kalpana Das W/o - Jibankr. Das, ③ Jibankr.

Das S/o - Nepal Das, ④ Jaganta Das S/o - Jibankr. Das, ⑤ Smt. Anita

Das W/o - Kamal Das, ⑥ Smt. Sila Adhikary W/o - Rajib Adhikary

all of Thakur Nagar, PS - NTA, Dist - Jharkhand.

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 of the

Complainant which is treated as F.I.R. is enclosed here with.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned in Item No. 2., Registered the case and took up the

investigation / directed Asst. Krishna Ch. Singh of Ashikhar of to take up

investigation / refused investigation / transferred to P.S. — on point of

jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant /

informant free of cost.

14. Signature / Thumb impression DR No. 2715 Date. 01.06.23

of the Complainant / Informant Bhaktinagar Police Station SPC

Signature of the Officer-In-Charge, Police Station Sri Amar Singh

Name : Sri Amar Singh

Rank : No. 1/C Bhaktinagar P.S.

15. Date & Time of despatch to the court :



THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.F Case No- 157/23

BAKUL RANI DAS VS GOBINDO DEY

Order dated: 20-05-23

This day the complainant has filed a petition praying for passing necessary direction upon the concerned Police Station for treating the written complaint as FIR as per provisions of Section 156 sub-section (3) of the Criminal Procedure Code 1973.

The complainant is present and he is examined by this court.

Heard Ld lawyer for the complainant.

Series of documents [photo copies] have been filed. Affidavit as stipulated by law has been filed. It is apparent that the modalities of section 154 (3) and section 36 of Criminal Procedure Code 1973 has been complied with. Thus the directions of the Hon'ble Supreme Court given in **Lalita Kumari versus State of U.P [2014] 2 SCC 1 and Priyanka Srivastava and another versus State of UP and others [2015] 6 SCC 287** have been complied with.

Meticulously examined the petition in which allegations of cognizable offence/s have been disclosed. The facts prima facie reveal that criminal complexion can certainly be conjured up. The nature of allegations also persuades me to hold that intervention by police authority is necessary and the cause of justice can only be served by detailed probe.

Hence the prayer is allowed.

The written complaint be sent to I/C Bhaktinagar P.S. Jalpaiguri and I/C Bhaktinagar P.S. is directed to conduct investigation following the modalities of law treating the complaint as FIR and to file compliance report to this end at the earliest.

Let a copy of this order along with the petition of complaint be sent to the I/C Bhaktinagar P.S. Jalpaiguri who is directed to invest her own consideration to the facts alleged and he should not be influenced by the mere manifestation of the sections- if any- mentioned in the written complaint.

Be it mentioned here that if any police case has already been started on the basis of F.I.R. lodged by the complainant over the same facts as envisaged in the present complaint, in that event matter shall be reported to this Court and no fresh case shall be started until further order from this end.

Comply at once.

It is reiterated here that as per order of the Hon'ble High Court in CRM 4792/2019, FIR shall be drawn up at the police station not later than 24 hours from the date of receipt of order u/s 156(3) Cr.P.C. and non compliance of the same will entail action u/s 23 Police Act and departmental action also.

Fix 30-06-23 for compliance report from P.S. concerned.

Forwarded to... I/C Bhaktinagar
for taking necessary action. Received on 31/5/23 at 15:35 hrs. vide BKN PS GDE No-1476 & started Bhaktinagar PS case no-434/23 date 31/5/23 u/s-451/427/323/379/34 IPC. ASI Krishna Ch. Singha of Ashighar GP will investigate the case.

Inspector in Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate

CJM, Jalpaiguri

Chief Judicial Magistrate

F/N 2084/23

IN THE COURT OF THE LEARNED CHIEF JUDICIAL MAGISTRATE,
JALPAIGURI

Misc. Petition No.

157/23
/2023
PETITION U/S 156(3) CR. P. C.

NAME OF THE PETITIONER

Bakul Rani Das (75 Yrs)
W/o - Lt. Niresh Ch. Das
Vill. - Thakur Nagar
Kamar Para
P. S. - Bhaktinagar
Dist. - Jalpaiguri.

NAME OF THE ACCUSED PERSONS

- 1) Gobindo Dey - (40 yrs)
S/o Late Amal Dey
 - 2) Smt. Kalpana Das (40 yrs)
/o - Jiban Kr. Das
 - 3) Jiban Kr. Das - (65 yrs)
S/o - Nepal Das
 - 4) Jayanta Das - (30 yrs)
S/o Jiban Kr. Das
 - 5) Smt. Anita Das - (43 yrs)
W/o Kamal Das
 - 6) Smt. Sila Adhikary - (32 yrs)
W/o Rajib Adhikary
- All are residing at
Thakur Nagar ,
P. S. - Bhaktinagar
Dist. - Jalpaiguri.

NAME OF THE WITNESSES :

- 1) Bharat Roy
S/o Ramesh Roy
- 2) Parul Roy
W/o Bharat Roy
- 3) Nandan Ch. Das
S/o Niresh Ch. Das

All are residing at - Thakur Nagar ,
Kamar Para , P. S. - Bhaktinagar ,
Dist.- Jalpaiguri.

&

Others

Place , Date and time of the Offence

Kamarpara on 17.05.23 at 5.00 p.m.

Offences U/ S 451/427/323/379/34 I P C





18/5/23
THROUGH
S. K. S. S. S.
DATE 30-5-2023

The humble petition of the Petitioner

Most Respectfully Sheweth :

- 1) That the Petitioner is aged about 75 years old. Accused Persons also live in same locality where Petitioner lives.
- 2) That relating to matrimonial disputes between Petitioner's son with accused persons, Accused persons on 17.5.23 at about 5 p.m. , taking wooden sticks in their hands entered into the Petitioner's house and started assaulting the Petitioner with their sticks and hands.
- 3) That the Accused Petitioners almost ransacked the Petitioner's living room and damaged her furniture therein. The Accused Persons at the time of leaving the place, took away Rs. 7000/- from the Petitioner's Almirah.
- 4) That Petitioner got heavy injury all over her body. Local people came and rescued the Petitioner . Petitioner was taken to Siliguri Hospital for her treatment.
- 5) That on the same day Petitioner went to Bhaktinagar P. S. to lodge F I R against the Accused persons but P. S. did not receive the F I R . The matter on 18.5.23, reported to Police Commissioner , Siliguri Police Commissionerate. No case has yet been started .

It is prayed that your Honour would be pleased to pass order directing the I/C, Bhaktinagar to start investigation treating this petition as F. I. R. U/S 156 (3) Cr.P. C.





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A F F I D A V I T

I, Bakul Rani Das (75 Yrs.) W/o Lt. Niresh Ch. Das, Vill. - Thakur Nagar, Kamarpara, P.S. - Bhaktinagar, Dist.- Jalpaiguri do hereby declare and solemnly affirm :-

- 1) That I am the Petitioner of this case and I am well acquainted with the facts of this case. Neither any Police nor any Court case has yet been started on the basis of the above mentioned incident.

That the statements made above are true to the best of my knowledge and belief and I sign on this affidavit on 29th day of May, 2023 at Jalpaiguri.



Bakul Rani Das

Declarant

Identified by me

Silishu Bhary

Advocate, Jalpaiguri

Date: 30-5-2023

Solemnly Affirmed Before Me
On Proper Identification

[Signature] 29.5.23
AMITAVA MITRA NOTARY
Regd. No. 20/99 Date Of Expiry On 29/07/2027
Jalpaiguri