

FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.)



2451

1. Dist. JPC P.S. Matigara Year 2023 FIR No. 400/23 Date 27/05/23  
2. i) Act JPC Sections 477/211/406/420/506/34 Sections  
ii) Act Sections  
iii) Act Sections  
iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 04/03/23 Date To 11' date  
Time Period Time From Time To

(b) Information received at P.S. Date 27/05/23 Time 17:45 hrs.  
(c) General Diary Reference : Entry No (s) 2145 Time 17:45 hr.

4. Type of Information Written Written / Oral

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

(b) Address Lexicon motors ps. matigara Dist. Durgapur

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

6. Complainant / Informant :

(a) Name Biswajit Nag Chowdhury

(b) Father's / Husband's Name Prady Kr. Nag Chowdhury

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

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

(f) Occupation

(g) Address Subhashpally ps. Siliguri Dist. Durgapur.

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) :

1. Bishal Surena 2. Lexicon Motors and orf.

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

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

Two used case bearing Reg. no. WB 24 AP 65 65 (1) WB 24 AX 68 36 and Rs. 8 Lakhs.

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/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 SI Kalipada Banman 27/05/23  
Investigation / refused investigation / transferred to P.S. Matigara Police Station to take up  
jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost. Siliguri Police Commission

14. Signature / Thumb impression of the Complainant / Informant Noted in original Complaint Signature of the Officer-in-Charge, Police Station BIPUL TALUKDAR

15. Date & Time of despatch to the court : on 28/05/23 at 11' osh Rank : No. SI OF POLICE

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Biswajit Nag Chowdhury

Received on 27/05/23 at 17:45 hrs.  
vide Matigara PS GOE No-2195 and  
started m.p.s case no-900/23 dt.  
27/05/23 12/5/27/21/406/420  
506/39 IPC and endorsed  
to SI Kalipada Barman for  
the investigation

27/05/23  
Officer-in-Charge  
Matigara Police Station  
Siliguri Police Commissionerate

FILED BY

Sanjay Mandal  
Sub-Stationary Officer  
Siliguri

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

REF : MISC. PETITION NO. 25 / 2023

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

NAME & ADDRESS OF THE  
COMPLAINANT : SRI BISWAJIT NAG  
CHOWDHURY  
S/o. Late Proloy Kumar Nag  
Chowdhury,  
Resident of Subhashpally, P.O.  
Subhashpally, P.S. Siliguri, Dist.  
Darjeeling, PIN- 734001

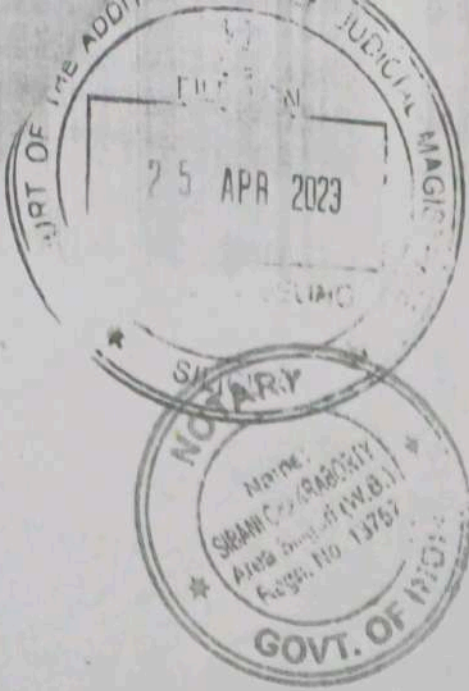


NAME & ADDRESS OF THE  
ACCUSED PERSONS : 1. LEXICAN MOTORS,  
An Unit of Reliance Industrial  
Consortium Ltd., An  
Authorized Dealer of TATA  
Motors, Kusum Nagar,  
Matigara, P.O. & P.S. Matigara,  
Dist. Darjeeling,  
PIN- 734010

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION  
27/05/23  
SIBANI CHAKRABORTY  
Notary, Siliguri  
Appointed by Govt. of India  
Siliguri, Dist.-Darjeeling

2. 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- 734010

NAME AND ADDRESS OF THE  
WITNESSES : 1. SRI GOPAL SUTRADAHAR  
S/o. Sri Narayan Sutradhar,  
Resident of Rabindra Nagar,  
P.O. Rabindra Sarani, P.S.  
Siliguri, Dist. Darjeeling, PIN-  
734006



*Biswajit Nag Chowdhury*

FILED BY  
Saandip Mandal  
Advocate/Siliguri

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

**OFFENCE COMMITTED**

Under Section 177, 211, 384,  
406, 420, 477-A, 506 of The  
Indian Penal Code.

The complainant above named begs to state as follows:

1. That the complainant is a proprietor of CAR ICON, having its office cum godown is situated at N.S Road, Subhashpally, P.O. Subhashpally, P.S. Siliguri, Dist. Darjeeling, PIN- 734001.

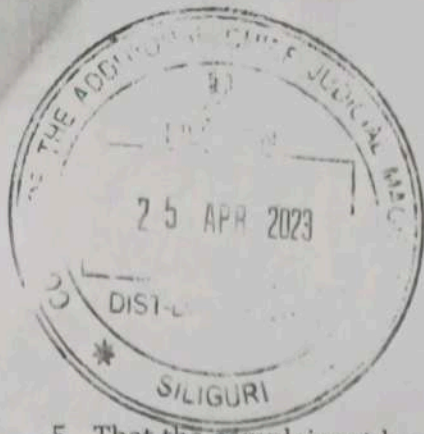
2. That the complainant has been carrying the business of purchasing and selling of used and old cars in the name of his proprietorship firm as stated above with a good reputation and goodwill in the present market since a long and the complainant has obtained the trade license and other documents from the competent offices in his name.

3. That the 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- 734010 deals with selling of used vehicles and Sri Rajib Ray, S/o. Late Rabindra Lal Ray is an employee of Lexican Motors and Sri Rajib Ray manages the said selling of used vehicles on behalf of the Lexican Motors.

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION  
26/04/23  
SIBANI CHAKRABORTY  
Notary, Siliguri  
Appointed by Govt. of India  
Siliguri, Dist. Darjeeling

That the complainant has been purchasing the used vehicles from said consumer of the Lexican Motors for near about one year and thus he became the bona-fide complainant has purchased the following used vehicles from Lexican Motors:

PRODUCT NAME	REGISTRATION NUMBER
A. TIAGO XM (20/01/2023)	WB-24-AP-6565
B. TIAGO XZ (27/02/2023)	WB-74-AX-6836



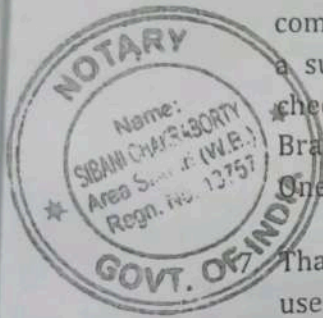
*Savitri Nag Choudhury*

FILED BY

Sandip Mandal  
Advocate/Siliguri

5. That the complainant has paid a sum of Rs. 2,20,000/- (Rupees Two Lacs and Twenty Thousand) only and Rs. 2,70,000/- (Rupees Two Lacs and Seventy Thousand) only as the consideration of the above mentioned used vehicles respectively to the Lexican Motors through cheque and cash.

6. That apart from that the accused persons convinced the complainant that few used vehicles which are in very good condition, are coming in a short span of time and for that they requested the complainant to make an advance payment for booking the used vehicles in good condition and the complainant was somehow convinced and made a payment of advance of a sum of Rs. 7,00,000/- (Rupees Seven Lacs) only by account payee cheque bearing no. 816862 dated 04.03.2023 drawn on SBI, Court More Branch in favour of the accused no. 1 and a sum of Rs. 1,00,000/- (Rupees One Lac) in cash to the accused persons.



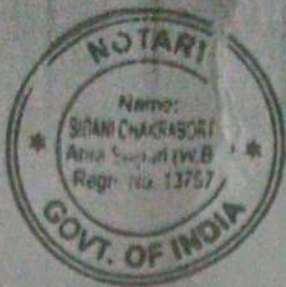
That after the payment and realization of the agreed consideration of said used vehicles by Lexican Motors, the said manager and other officials delivered the physical possession of the above mentioned used vehicles along with the original documents like Registration Certificate, Tax Token, Insurance Policy, Pollution Certificate, Document of Customer Identification, Forms required for transferring of the name of the owner in favour of the intending purchaser/purchasers in respect of the above mentioned used vehicle to the complainant.

8. That after taking the said physical possession of the said used vehicles and its relevant documents, the complainant sold the said vehicles to the intending purchasers after negotiating the consideration of those vehicles and after the said negotiation the complainant informed the registered owners of the said used vehicles for transferring their name in the name of the intending purchasers in the office of ARTO, Siliguri.

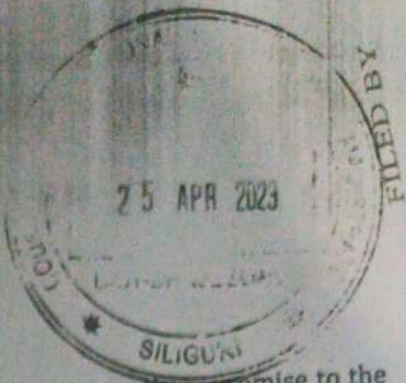
9. That apart from that the complainant had made an advance on 04.03.2023 of a sum Rs. 7,00,000/- (Rupees Seven Lacs) to Lexican Motors through account transfer and further a sum of Rs. 1,00,000/- (Rupees One Lacs) in cash for purchasing further used vehicles as per the availability.

10. That on 10.04.2023, the complainant got an information that one number of vehicle being registration no. WB-74-AX-6836 has been locked by Assistant Regional Transport Officer (ARTO), RTO Office, Siliguri, West Bengal- 734301.

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION  
25/04/2023  
SIBANI CHAKRABORTY  
Notary, Siliguri  
Appointed by Govt. of India  
Siliguri, Dist. Darjeeling



*Brought by Choudhary*



Sandip Mandal  
Advocate Siliguri

and also refused to sale the said used vehicles as per their promise to the complainant.

17. That the accused persons have received the consideration of the used vehicles from the complainant and delivered the physical possession of the said used vehicle along with its documents to the complainant and he sold the said two vehicles to the intending purchasers against the agreed consideration and on the request to the previous owners of the said two vehicles, they appeared before the ARTO Siliguri for verification and their name transfer accordingly but the accused persons 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 no. 2 has also threatened the present owners of the said vehicles to deliver the said vehicles to the accused persons and the accused persons induced the complainant to make payment as an advance for booking the used vehicles in good condition but inspite of several requests as made by the complainant, they refused to acknowledge the said payment and sale the used vehicles in good condition to the complainant thus they cheated the complainant and misappropriated his hard earned money for their ulterior motive and illegal gain.

18. That the complainant on 20/04/2023 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.

19. That the present petition is true and bonafide.

SOLEMNLY AFFIRMED & DECLARED  
BEFORE ME ON IDENTIFICATION  
Sd/- SIDANI CHAKRASORTI  
Atma No. 11111, Siliguri  
Advocate of India  
Siliguri, Dist. Darjeeling

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.

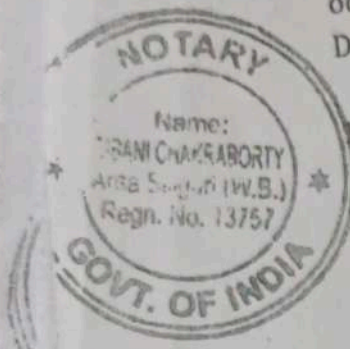
And for this act of kindness your petitioner as in duty bound shall ever pray.

FILED BY  
Sandip Mandal  
Advocate/Siliguri

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25/4/23



I, **SRI BISWAJIT NAG CHOWDHURY**, S/o. Late Prolay Kumar Nag Chowdhury, aged about 51 years, Hindu by religion, businessman by occupation, resident of Subhashpally, P.O. Subhashpally, P.S. Siliguri, Dist. Darjeeling, 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 19 are true to the best of my knowledge and belief.
3. That no case has been started against the complaint dated 20.04.2023.

I sign this affidavit on this 25<sup>th</sup> day of April, 2023.

Biswajit Nag Chowdhury

Deponent  
Identified by me

Asish Banik

Advocate / Siliguri  
F/344/292/2020

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

**AFFIDAVIT**  
Solemnly Affirmed Before Me  
By Biswajit Nag Chowdhury  
of Siliguri  
Identify by A. Banik (Adv)  
This the 23rd day of April  
At \_\_\_\_\_ P.M./A.M.



Sanjay  
Saha  
Hd

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

Ref: MISC. CASE NO. 25/2023.

Sri Biswajit Nay  
- Complainant

vs

Kenica Motors & Co.  
- Accused Persons

• LIST OF DOCUMENTS FILED ON BEHALF OF THE COMPLAINANT

1. Photocopy of the Trade License of the complainant. (1)
2. Photocopy of the account statements of the complainant. (2-4)
3. Photocopy of the certificate of registration. (5)
4. Photocopy of the name transfer of the used vehicle (6-11)
5. Photocopy of the cheque bearing no. 816862. (~~12~~) (12-13)
6. Photocopy of the screenshot of the locked status of the vehicle. (14)
7. Photocopy of the Matigona P.S. Case No 197/23. (15-21)
8. Photocopy of the written complaint dated 20/04/23 (22-25)