

2-78

1. Dist. SPC P.S. Maligana Year 2023 FIR No. 427/2023 Date 05/06/2023
2. i) Act. Sections 448/341/323/326 ii) Act. * Sections *
iii) Act. * Sections 309/505/36 iv) Others Acts & Sections *

3. (a) Occurrence of offence : Day Date From 05.09.2021 Date To
Time Period Time From 18.00 hrs Time To

(b) Information received at P.S. Date 05.06.2023 Time 10.15 hrs

(c) General Diary Reference : Entry No (s) 226 Time 10.15 hrs

4. Type of Information Written Written / Oral

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

(b) Address Railgate Biswal Colony, P.S. Maligana, Dist. Darjeeling

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

6. Complainant / Informant :

(a) Name Md. Kasim

(b) Father's / Husband's Name Lt. Saïmuddin @ Md. Munilal

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

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

(f) Occupation

(g) Address Railgate Biswal Colony, P.S. Maligana, Dist. Darjeeling

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

(Attach separate sheet, if necessary) :
(1) Karpura Begum w/o. Akhtar Ali, (2) Akhtar Ali, S/o. Md. Kasim both are of Railgate Biswal Colony, P.S. Maligana, Dist. Darjeeling.

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 is treated as FIR is reproduced overleaf.
05/06/2023

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2; Registered the case and ~~look up the investigation~~ / directed S.I. Md. Sanaullah ~~Maligana Police Station~~ to take up investigation / ~~refused investigation~~ / transferred to P.S. Siliguri Police Commissionerate 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 on original complaint
Signature of the Officer-in-Charge, Police Station
Name : ABDUL TALUKGAR
Rank : No. S.I. OF POLICE ON 15.06.2023

15. Date & Time of despatch to the court :

modesty and also used fifty languages upon her [J.P.O- Purba Kangra, Sishabari, PO- New Rangia, PS - Maligana, Dist. Darjeeling]

MD KASIM

FILED BY
Sakina Begum
SATAVISA BASU
ADVOCATE

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

Ref: Misc. Petition Case No 34..../2021



Received on 05.06.2023 at 10.15 hrs
with CR No. 216 of 05.06.2023 and
recorded MTC No. 427/2023
dt. 05.06.2023, U/S- 448/24/320/026/
307/506/84 IPC and referred to
SI-Mr. Sanaullah for investigation.

5/6/2023
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

In the matter of:
An Application U/S. 156 (3) Of Cr.P.C
AND

In the matter of:
MD. Kasim
S/O. Late Salmuddin @ MD. Munilal,
Resident of, Near Railway Gate,
Biswas Colony, P.O and P.S- Matigara,
Dist- Darjeeling (W.B).

.....Complainant

Versus

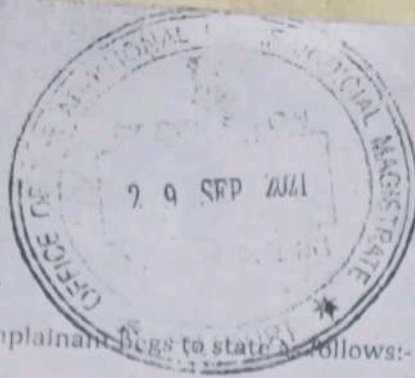
1. Karpura Begum
W/O Akhtar Ali,
2. Akhtar Ali
S/O Md. Kashim,
---Both are of near Railway gate, Biswas Colony,
P.O & P.S:- Matigara,
Dist:- Darjeeling (W.B).

..... Accused persons

DATE OF OCCURANCE: On 06/ 09/ 2021

TIME OF OCCURANCE: at about 6 P.M
(In the Evening)

PLACE OF THE OCCURANCE: at the house of the Complainant at
Near Railgate, Biswas Colony,
P.O & P.S: Matigara,
District: Darjeeling (W.B).



M D BASU

FILED BY

Satvika Basu

SATAVISA BASU

The complainant begs to state as follows:-

1. That on 06/09/2021 the Accused Persons criminally trespassed in to the house Premises of the Complainant at near Railgate, Biswas Colony, P.O and P.S- Matigara, Dist.- Darjeeling armed with Wooden Batam in their hands and thereafter, both of them did hit on the head of the Complainant by such wooden batam several times with heavy force. Then and then, he fell down on the floor with serious bleeding injuries on his head, and blood was oozing out fountainly and sprayingly from his head injuries and he was then became semi-unconscious. Seeing this his wife Hasnur Begum rushed to the locale to Save him. Then they also assaulted hey by their such wooden batam and at time his Sister-in-law (sister of his wife) namely Mampi Khatun also rushed to the locale (spot) to save them. Then they also assaulted her by such wooden batam. At that time, his wife and her sister started to scream and hearing their such screams neighbouring people came there (at the spot) and seeing them the accused persons decamped from there but before decamping they threatened him by saying that they will evict him and his family members from his said land and house in near hand at all and in any event.

Due to such assault, the complainant received severe bleeding injuries on his head and the major portion of his head was swelled and inflated, and he was tossing in pain at the external and internal side of his head. Then and then, he was taken to the Matigara Block Primary Health Centre in precarious condition where he was medically treated, and medical dressing was done on his head injuries and still he is under the medical treatment.

His forehead, both eyes and both cheeks were in swelling. Several times, he was vomiting. Attending Doctor told that there may be Permanent Privation of the Sight and visual range of eyes and also of the hearing of the ears of the Complainant as he sustained internal injuries in his head also.

Since then i.e., since after such assault the Complainant has been suffering from tremendous pain on his head, in his eyes and ears.

His wife and her sister also received severe in injuries on their respective body portions and they were also suffering from the same injuries.



MD GOSIM

FILED BY

Satavisa Basu

SATAVISA BASU
ADVOCATE

They were bed-ridden due to such severe bodily pain.

The aforesaid assault and hurt endangered the complainant.

He suffered more than twenty -days in severe bodily pain.

He (the Complainant) was unable to follow his ordinary Pursuits for more than twenty -days caused for such assault and hurt.

That on the same day i.e., on 09/09/2021, the Complainant lodged a written F.I.R to the O.C, Matigara Police station stating the whole aforesaid incident but the Matigara Police did not take any action against them and refused to register any case against them .

3. That on 14/09/2021, the Complainant sent written complain to the commissioner of Police, Siliguri by Speed Post stating the whole afore-said facts but till to-day no action has been taken against the accused persons by the police yet.

4. That since long the accused persons are trying to evict the complainant and his family members from his land and house forcefully and illegally.

But he (the complainant) stoutly and rightly made strong Protest against their such attempt. So they came to the Complainant and his family members and committed the aforesaid offences in vendetta and reprisal.

5. That the accused persons entered in to a criminal conspiracy to usurp the land and house of the complainant after murdering him and in pursuance of their such criminal conspiracy they attempted to murder him. They have committed the aforesaid offences in furtherance of their common intention.

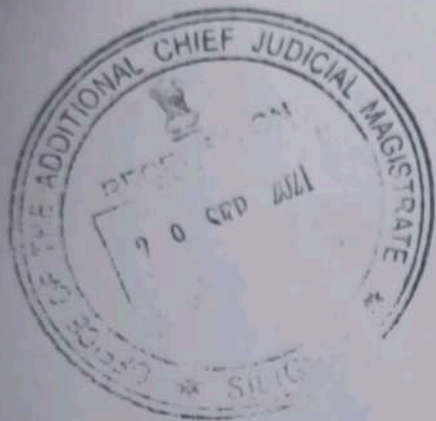
6. That the accused persons have committed the offences punishable u/s. 302, 307, 309, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

M.P. 12051M

FILED BY
Sakvira Bora

7. That without the assistance of Police by suitable investigation, evidences of the afore-said incident including the injury report of the complainant cannot be collected and the accused persons cannot be apprehended and brought to book.

PRAYER



In view of the facts and circumstances, it is prayed that your Honour may be pleased to direct the O.C, Matigara Police Station to investigate into the offences by treating this petition as an F.I.R for the ends of justice.

And for this act of Kindness, the complainant as in duty

bound shall ever pray.

AFFIDAVIT

I, Md. Kashim, S/O late Saimuddin @ Md. Munilal, aged about 56 years, Muslim by religion, Rickshaw van puller by Occupation, resident of near Railgate, Biswas Colony, P.O and P.S - Matigara Dist- Darjeeling, (W.B), do hereby solemnly affirm and declare as follows:-

1. That the statements made in this petition from paragraph nos.1 to 7 are true to the best of my Knowledge and belief and the rest is my humble prayer before the I.d. Court.
2. That I sign this affidavit on this the 29th day of September, 2021 at Siliguri.

M.P. 12051M

(Declarant)

Identified by me

Sakvira Bora
(Advocate/ Siliguri)