

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

377



SPe P.S. Bhaktinagar Year 2023 FIR No. 473/23 Date 10/06/2023

2) Act IPC Sections 406/420/465/468/471/520 B Sections -

(i) Act - Sections - (iv) Others Acts & Sections -

3. (a) Occurrence of offence : Day Date From 15/09/2016 Date To 19/5/2023

Time Period Time From Not mentioned Time To -

(b) Information received at P.S. Date 10/06/2023 Time 12.15 hr.

(c) General Diary Reference : Entry No (s) 468 Time 12-15 hr.

4. Type of Information Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Approx 2km South Beat No. -

(b) Address First floor (Front portion) at Golden Enclave, Seroke Road,
PO - Siliguni, PS - Bhaktinagar, Dist - Jalpaiguri.

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

6. Complainant / Informant :

(a) Name Sri Kishan Kumar Agarwal

(b) Father's / Husband's Name Manohar Lal Agarwal

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

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

(f) Occupation Business

(g) Address Director of Noel Mercantile (P) Ltd, Victoria Junction, Near Club Town, Seroke Road, PS - Bhaktinagar, Dist - Jalpaiguri.

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

(Attach separate sheet, if necessary) : ① Sri Shyam Sureka s/o - Lt. Manoj Kr. Sureka,

② Smt. Rinki Sureka w/o - Shyam Sureka, both Director of "RTV

Health Care Pvt. Ltd, residents of Club Town Complex, Block - 3, Unit - G, 2nd

floor, Flat No - 26, VIP Road, Kol - 700052, ③ Asst. Regt s/o - A.K. Regt, Branch-in-

Charge (Deputy Manager) and his associate officials of West Bengal Financial Corporation, Siliguni Branch, PO & PS - Siliguni, 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 of the Complainant, which is treated as F.I.R is enclosed herewith.

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 Pravin Tamang

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

15. Date & Time of despatch to the court :

Noted in original complaint.

14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court :

DR No. 2855 Date 11/6/22
Bhaktinagar Police Station
SPC

Inspector - Bhaktinagar Police Station
Signature of the Officer-in-Charge, Police Station
Name : Sri Amarish Singh
Rank : No. 1/c, Bhaktinagar PS

Inspector - Bhaktinagar Police Station
Siliguni Police Commission
to take up

10/6/23

NOEL MERCANTILE PRIVATE LIMITED

CIN : U51909WB1997PTC082730
REG. OFFICE : Victoria Junction, Near Club Town, Sevoke Road,
Siliguri - 734001
CONTACT : +91 94340 01643
EMAIL : kkslg64@gmail.com

Dated: 10/06/ 2023

To
The Officer In-charge
Bhaktinagar Police Station
Check Post, Sevoke Road, Siliguri
O.S. Bhaktinagar, District Jalpaiguri. (W.B.).

Sub: Complaint against:

- (1) Sri Shyam Sureka, Son of Late Manoj Kumar Sureka,
- (2) Smt. Rinkie Sureka, Wife of Sri Shyam Sureka,
Both Directors of "RJV Health Care Private Limited", residents of Club
Town Complex, Block No.3, Unit-G, 2nd Floor, Flat No.26, VIP Road,
Kolkata-700052
- (3) Sri Arijit Roy, Son of Sri A. K. Roy, Branch In-charge (Deputy Manager)
and his associate officials of West Bengal Financial Corporation, Siliguri
Branch, Post Office & Police Station-Siliguri, District-Darjeeling (West
Bengal).

Sir,

Most humbly and respectfully I beg to state as follows:-

1. That I am one of the Directors of Noel Mercantile (P) Ltd. a Company incorporated under the Companies Act, 1956, having its registered office at Victoria Junction, Near Club Town, Sevoke Road, Siliguri - 734001 and my said Company is the absolute owner of a five storied pucca building popularly known as "GOLDEN ENCLAVE" situated at Sevoke Road, Siliguri, Police Station-Bhaktinagar, District-Jalpaiguri.
2. That being owner my said Company entered into a Deed of Lease dated 15.9.2016 with one RJV Health Care Private Limited - a Company incorporated under the Companies Act, 1956 and having its registered office at 26A, Dr. Suresh Sarkar Road, 3rd Floor, Flat No. 3D, Kolkata-700014 (West Bengal)-represented by its Director Sri Shyam Sureka

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and our said Company is represented by myself as one of the Directors and also being duly authorized to enter into the said Deed of Lease vide Power of Attorney dated 8.9.2007 executed by other Directors. By virtue of the said Deed of Lease, our said Company leased out all that premises consisting of 3550 square feet carpet area more or less on the first floor (front portion) at Golden Enclave, Sevoke Road, Post Office-Siliguri, Police Station-Bhaktinagar, District-Jalpaiguri (West Bengal) at a monthly lease rent of Rs.2,30,000/- (Rupees Two Lakh Thirty Thousand) only plus taxes as applicable viz. Service Tax, Goods & Service Tax excluding of maintenance and electric energy charges to the said RJV Health Care Private Limited under certain terms and conditions incorporated in the said Deed of Lease and the said RJV Health Care Private Limited had been running its business of healthcare in the said premises leased out to them for a period of 9 (nine) years commencing from 01.11.2016.

3. That the said RJV Health Care Private Limited has not paid lease rent to our Company since a long period and the said RJV Health Care Private Limited was not able to run the business due to paucity of funds and the business was also not in good condition and viable and, as such, the said Director of RJV Health Care Private Limited viz. Sri Shyam Sureka vide his letter dated 16.8.2022 intimated me that the said premises occupied by them as lessee shall be vacated by them as per the terms of the said lease deed and he agreed to hand over the vacant possession of the premises to our said Company as they intimated us that they have agreed to vacate the said premises and said lease was terminated as per the terms and conditions of the said lease deed. The said RJV Health Care Private Limited dismantled/removed all the fittings and fixtures of the said premises by engaging labourers since last few days and they have shifted their articles, fittings, fixtures, furniture, equipments, machineries etc. from the said premises and they handed over vacant possession of the said premises to our company.

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4. That suddenly on 19.05.2023, Sri Arijit Roy, Son of Sri A. K. Roy claiming himself as Branch In-charge of West Bengal Financial Corporation along with his few officials/associates came to my building and started threatening me with dire consequences and he intimated me that the goods, equipments, furniture and other items of the said premises occupied by RJV Health Care Private Limited is mortgaged with the West Bengal Financial Corporation as said Sri Shyam Sureka of RJV Health Care Private Limited has taken loan from them keeping the said items as mortgage. We intimated them that we are not aware of any mortgage and the said RJV Health Care Private Limited cannot give/keep the said premises or any portion thereof or any items, fittings, fixtures etc. thereof as mortgage with any financial organization as it has been specifically mentioned in Clause-VI of the said Lease Deed that the lessee shall not be entitled to mortgage, create charge, lien, assign or transfer its lease right in favour of any bank/financial institution or any other organization as a security for the purpose of seeking any financial assistance and in spite of the said clause the said Branch In-charge of West Bengal Financial Corporation claimed that the said Shyam Sureka and other Director of the said Company took financial assistance from them keeping the said articles, fittings, fixtures and items of the said premises. It is necessary to mention here that the said West Bengal Financial Corporation did not study and consider the said Lease Deed and they did not take any NO – OBJECTION from the owner, i.e. Noel Mercantile Private Limited.

The said Shyam Sureka, Director of RJV Health Care Private Limited has also lodged a complaint against me with the O.C. Bhaktinagar Police Station with some false and fabricated allegations only to mislead the officials with ill motive and for illegal gain.

5. That the said Shyam Sureka in collusion with his wife Smt Rinkie Sureka one of the Directors of the said RJV Health Care Private Limited and also in collusion with the said Sri Arijit Roy, Branch In-charge of West Bengal Financial Corporation and other officials of the said West Bengal Financial Corporation fraudulently manufactured forged

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document and said Shyam Sureka and Rinkie Sureka with the officials of the West Bengal Financial Corporation used the forged document for the purpose of illegally procuring loan by keeping the articles of the said premises as mortgage with West Bengal Financial Corporation and the said persons used the forged and fabricated documents for the purpose of cheating.

6. That the said Shyam Sureka and Smt Rinkie Sureka in collusion with Sri Arijit Roy and other officials of West Bengal Financial Corporation induced me to give our said premises on lease to the said Company viz. RJV Health Care Private Limited and the said persons fraudulently manufactured the forged document for the purpose of cheating and they used the forged document for obtaining/procuring loan from West Bengal Financial Corporation as aforesaid and they used the documents for forgery and, as such, they have committed the offence of cheating, manufacturing forged documents, using forged documents for cheating, forgery and criminal intimidation.

I, therefore, request you to kindly take necessary legal steps against the said Sri Shyam Sureka, Son of Late Manoj Kumar Sureka, Smt Rinkie Sureka, Wife of Sri Shyam Sureka and Sri Arijit Roy, Son of Sri A. K. Roy and their associates and oblige.

Thanking you!

Yours faithfully,

FOR NOEL MERCANTILE PRIVATE LIMITED

Agarwal KK
(Kishan ko. Agarwal)
DIRECTOR

9434001643

S/o. Lt Manohar Lal Agarwal

Received on 10/6/23 at 12:15 hrs.
vide BKN PS GDE NO - 468 an started Bhakti -
nagar PS Case NO - 473/23 - date 10/6/23
U/S - 406/420/465/468/471/120 R & P c.
SI Tamim Tamang will investigate
the case.

10/6/23
Inspector-in-charge
Bhaktinagar Police Station
Siliguri Police Commissionerate