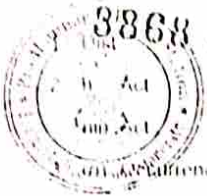


FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



3868 SPC
1 PC
P.S. Pradhan Nagar Year 2023 FIR No. 450/23 Date 23.06.23
Sections 400/420/428/471/125B Act Sections
Sections (iv) Others Acts & Sections
Date of Occurrence Day Date From Since long Date To
Time Period Time From Time To

(b) Information received at P.S. Date 07.06.23 Time 13:05h
(c) General Diary Reference Entry No(s) 1444 Time 13:05h

4 Type of Information Written Written / Oral

5 Place of Occurrence (a) Direction and Distance from P.S. Beat No.
(b) Address Mouza - Uday Singh, P.S. Pradhan Nagar Dist - Danjehing
(c) In case outside limit of this Police Station, then the Name of the P.S. District

6 Complainant / Informant :
(a) Name Sita Ram Bhuwa
(b) Father's / Husband's Name Lali Himlal Bhuwa
(c) Date / Year of Birth (d) Nationality
(e) Passport No. Date of Issue Place of Issue
(f) Occupation
(g) Address Abhedamanda Road near Ramkrishna Ashram P.S. Pradhan Nagar Dist - Danjehing

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : ① Sunil Agarnwal @ Kaley S/O - Bhimraj Agarnwal of Haider Pame, Pranami Mandir Road, P.O. Sertok Road, P.S. Bharti Nagar Dist. Jalsangi. ② Arun Das S/O Sri Choudam Das of Shashi Nagar, Ward No. 11, ③ Chandan Satani S/O Lt. Lalbabu Satani, Kalibari Road, Ward No. 4, S.P.C. P.S. Pradhan Nagar. ④ Pradip Kumar S/O Sahidram Das. Information of Surepam, Chibak, Kalkar, Bihar. Not noted.

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 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. Yousel hepeke to take up 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 Complainant.
Signature of the Officer-in-Charge Police Station Pradhan Nagar Police Station Name : Anil Kumar Singh Rank : No. Inspr. of Police

15. Date & Time of despatch to the court : on 24.06.23

June 22, 2023

To,
The Officer-in-Charge,
Pradhan Nagar Police Station,
Siliguri Police Commissionerate,
Siliguri

Sub: FIR

Sir,

I, Sri Sita Ram Bhutra, Son of Late Hira Lal Bhutra, aged about 75 years, resident of Abhedananda Road, near Ram Krishna Asharam, Pradhan Nagar, Siliguri, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, do hereby lodging this complaint that my son Arun Bhutra is a resident of Mumbai as he is working there and myself and my said son are the owner of some piece and parcel of land situated at Mouza Uday Singh, previously within P.S. Matigara now within the jurisdiction of Pradhan Nagar PS.

To be specific my son Arun Bhutra is the absolute owner of land measuring 1.12 Acre, in L.R. Plot No. 309 (area measuring 0.35 Acre), Plot No. 311 (area measuring 0.25 Acre) and Plot No. 313 (area measuring 0.52 Acre), recorded in L.R. Khatian No. 291 at Mouza - Uday Singh, by virtue of a Deed No. 3021 for the year 1997, transcribed in the Book No. I, Volume No. 5, Pages from 135 to 144, registered on 29.08.1997, at the office of the Additional District Sub-Registrar, Siliguri, Dist. Darjeeling.

And I am the absolute owner of total Land measuring 0.13 Acre, by virtue of two separate deed of sale. That land measuring 0.07 Acre is in L.R. Plot No. 310, recorded in Khatian No. 155, 156, 157, 161, 162 and

Sri Sita Ram Bhutra

163, by virtue of Deed No. 2961 for the year 2008, registered on 11.06.2008 transcribed in the Book No. I, CD Volume No. 8, Pages from 2020 to 2029, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. Again I am the absolute owner of land measuring 0.06 Acre, in L.R. Plot No. 310, recorded in Khatian No. 158, 156, 167, 171, 184, 200 at Mouza - Uday Singh, by virtue of Deed No. 3352 for the year 2008, transcribed in the Book No. I, CD Volume No. 9, Pages 2945 to 2962, registered at the office of the A.D.S.R. Siliguri-II at Bagdogra. Further I have also purchased more land in the said Mouza and later on two separate L.R. Khatians being No. 289 and 290 were published in my name in L.R. Khatian No. 289 land measuring 1.45 Acre, recorded in L.R. Plot No. 309, land area measuring 0.98 Acre, recorded in L.R. Plot No. 311 and land measuring 1.22, Acre, recorded in the Plot No. 313. In another Khatian No. 290 total land measuring 1.52 Acre has been recorded and land measuring 0.62 Acre recorded at Plot No. 309 land measuring 0.39 Acre recorded at Plot No. 311 and land measuring 0.51 Acre recorded in Plot No. 313.

Later my son desired to sale a portion of the property he owned as it was getting difficult to maintain and supervise the properties owned by us as he resides in Mumbai and myself is an aged person. In furtherance to this one Mr. Sunil Agarwal @ Kaley, son of Late Bhimraj Agarwal, of Haiderpara, near Pranami Mandir Road, P.O. Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri met with us and told that he is interested in our properties. He gave me a proposal that he will develop our properties and thereafter land owners allocation and developers allocation will be segregated and only thereafter they will commercially exploit their portion of land. According to their offer they would give us net 0.35 acres of developed land.

Thereafter Sri Sunil Agarwal @ Kaley introduced (1) Sri Arun Dass s/o Sri Gautam Dass, resident of Shastri Nagar, Ward No. 41 of SMC, P.O.

Sunil Agarwal

Sevoke Road, P.S. Bhaktinagar, Dist. Jalpaiguri and also at Haiderpara, near Buddha Mandir, P.O. Haiderpara, P.S. Bhaktinagar, Dist. Jalpaiguri, PIN - 734006, (2) Mr. Chandan Sahani, s/o Late Lal Babu Sahani, Kalibari Road, Ward No. 45 of SMC, P.S. Pradhan Nagar, Siliguri and (3) Sri Pradip Kumar, s/o Sri Satrudhan Pal, resident of Durgapur Goshala, Katihar (Bihar) to us and told that they are his men and will be working as his front face in this project because of some Income Tax issue going on within his family and that's why he won't come in front but though the aforesaid persons will dealing with our properties, entire financial and other obligations will his. Further he also assured us that we need not worry about anything as all are their associates since long.

It is pertinent to mention here that the then value of our raw undeveloped property decided between us is Rs. 1,20,00000/- (Rupees One Crore Twenty Lakhs only)

Thereafter being satisfied with proposal and believing on his promise and assurance we accepted their proposal and he had nominated above named Sri Arun Dass as his nominated person who will act on their behalf as his agent and requested us to sign a development agreement with him and make him our constituent attorney to deal with our properties and to sell their allocated and segregated portion only.

Accordingly we have entered into one development agreement with aforesaid person Arun Dass with other persons as the witness in the documents in respect of our property herein described total land measuring 1.208 acre in L.R. Plot No. 309 (Area Measuring 0.35 acre) Plot No. 311 (area measuring 0.25 acre) plot no. 313 (area measuring 0.52 acre) and Plot No. 310 (area measuring 0.088 acre) recorded in L.R. Khatian No. 291 and 292 at Mouza Uday Singh under P.S. Pradhan Nagar, Dist. Darjeeling.

S/Arun Dass

I would like again to reiterate that Khatian No. 291 is in the name of my son Arun Bhutra having Plot No. 309, 311 and 313 and Khatian No. 292 is in my name having only one Plot No. 310.

Thereafter we had also executed one registered General Power of Attorney in favour of said Arun Dass vide Document No. 1209/2021 in respect of aforesaid described land.

I would again like to draw your attention to the fact that as per the stipulations, terms and conditions mentioned in the said Development Agreement two important conditions were that they would hand over us our share 0.35 Acres of net developed land in Plot No. 309 within Mouza Uday Singh as our "owners allocation", pay Rs. 5,00,000/- (Five Lakhs only) and they will not sell or commercially exploit any part of the said land till we jointly segregate and demarcate "land owners allocation" and "developer's allocation".

Thereafter the said Arun Dass gave us two account payee cheques, amounting to Rs. 9,00,000/- and Rs. 6,00,000/- by cheque bearing Nos. 000008 dated 18-8-2021 and 000009 dated 31-8-2021, respectively both drawn with Andhra Bank, Dwaraka Sector Branch, New Delhi to discharge their partial liabilities arising out of the aforesaid deal. To our surprise the said two Cheques were dishonored by the bank. Thereafter I took legal action through my Ld. Advocate in accordance with law. Later Mr. Sunil Agarwal @ Kaley came to my house along with the said Mr. Arun Dass and told me that by mistake the said Cheques got bounced gave me assurance that this sort of things will never happen again and requested and convinced me and my son not to cancel the said Power of Attorney given to Arun Dass and the Development Agreement signed with him. Believing on their assurance we did not cancel the Power of Attorney and Development Agreement.

S. Arun Bhutra

Later I found that their all promises were false and made with an intention to instigate and cheat us. Since then the aforesaid persons including Mr. Sunil Agarwal @ Kaley, and Mr. Arun Dass were not responding to my calls / quarries and not giving me the present status of the development works regarding our properties. Whenever I asked them regarding the demarcation and segregation of my portion of land i.e. land owners allocation, they tried to avoid me and lastly they told me they have developed the said property, they have not sold any part of that and will soon arrange to demarcate and segregate our share of developed land. Thereafter on having doubt on them and frustrated with their false promises I made physical verification and on being suspicious thereafter made searches and found that there some changes in my ROR. The total area from my ROR is reduced and new ROR had been created in several other names, which on further search I found that those titles had been created in furtherance to the sales done by the aforesaid accused persons. They have sold our entire properties without demarcating, segregating and consent to the third parties by misusing the Power of Attorney given to Mr. Arun Dass which is beyond of their authority given to them by us and thus they have wrongly and illegally sold out 0.97091 Acres of total land and did not handover us our portion of 0.35 Acre of developed land and thereby cheated us by false representation. It also reveals that though he has been given a power to sell 0.52 acre of land in Plot No. 313 by my son, i.e. the total land owned by him but they have sold out 0.89972 Acres in Plot No. 313 instead of 0.52 Acre and thereby have sold excess land in Plot No. 313 lying in my portion from Khatian No. 289 in my name and I did not gave them power to sale any portion of land comprised in Khatian No. 289. Thus he had sold my portion of land beyond of his authorization given to him through the said Power of Attorney and had prepared false Sale Deeds in the name of their agents and nominated persons willfully and knowing that he did not have any power to execute those sale deeds and thereby commits forgery for the purpose of cheating.

S. Kumar - Shri Kumar

By looking at the facts and circumstances mentioned above their illegal act and pre-motivated intention to deceive they cheat us is very clear. They have jointly made a criminal conspiracy to deceive us and with ill motive had made us false promises and prepared the said agreement and the said power of attorney for the purpose of cheating and thereby sold out our entire properties / land by preparing false documents of sale at the Registered Offices with a knowledge that they don't have any authority to sell the Owners Allocation i.e. our portion of net developed land, without paying us any consideration amount and used our property for their own purpose illegally. They with false promises made agreement and general power of attorney malafidely and illegally by making false promises for the purpose of cheating, and sold our entire properties / land including our allocations without having any authority and prepared false documents for the purpose of cheating. Thereafter they have made false representations of those false documents made before concerned B.L. & L.R.O. Office at Matigara had prepared khatians illegally and falsely in favour of their agents and nominated persons. They have intentionally conducted themselves in such a manner so as to deceive us and converted our valuable property for their own use for the purpose of cheating and forged false documents and hatched criminal conspiracy and misused our general power of attorney given to Mr. Arun Dass and thereby caused injury to us and misappropriated the all consideration money along with Principal amount and also converted our valuable properties by forgery in collusion with Mr. Sunil Agarwal @ Kaley and Others. They have sold out our all properties / land which was not even within the purview of the General Power of Attorney thus misappropriated our Money and Properties.

I would like to mention that later I came to know that the aforesaid persons renowned land mafia's of this area and are habitual offenders. There are several cases of the like offences are pending in several police

S. Anand K. K.

stations and before the court of law, which unfortunately I didn't know prior to this dealing.

Thus myself, an aged person, suffering from several old age ailments, and my son deprived and cheated by the aforesaid accused persons by their illegal acts and praying to take appropriate actions against them in accordance of law.


Thanking You,
Yours Faithfully,

S/सिता राम भुत्रा

(SITA RAM BHUTRA)

+91 9434131340

Received on 23.06.23 at 13.05 hr
vide Pdn Ps CID No-1444 dt. 23.06.23
and started Pdn Ps. Case No-450/23
dt. 23.06.23 U/S- 406/420/468/471/ROB
IPC and endorsed to SI- Yousef
Kupcha to investigate the case.


23.06.23
Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Prepared and typed by me
as per the instruction of
the complainant and then
read over and explained and
being satisfied he signed
this complaint.

T/Pran Bhat -
DT-22/06/2023