

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



2609

Darjeeling P.S. Siliguri

Year 2023 FIR No. 557/23 Date 18.07.23

Sections ii) Act

Sections 406/420/504

Sections

(iv) Others Acts & Sections 34 IPC

(a) Occurrence of Offence Day -

Date From 2017

Date To 18.7.2023

Time Period -

Time From -

Time To

afternoon

(b) Information received at P.S. Date 18.7.2023

Time

19:25 hrs

(c) General Diary Reference Entry No(s) 957

Time

19:25 hrs

4 Type of Information

written

Written / Oral

5 Place of Occurrence (a) Direction and Distance from P.S. 01.5 KM (approx.) Beat No. -

(b) Address Suraj Enterprises at opposite Meghdoot Cinema Hall, beside Raymond's Showroom, Hill Cart Road, Siliguri, P.S. - Siliguri.

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

Name of the P.S. -

District -

6. Complainant / Informant

(a) Name Sri Gopal Agarwal

(b) Father's / Husband's Name Sri Ashok Kumar Agarwal

(c) Date / Year of Birth -

(d) Nationality Indian

(e) Passport No. -

Date of Issue -

Place of Issue -

(f) Occupation -

(g) Address Nehru Road, Khalpara, Siliguri, Po. - Siliguri Bazar, P.S. - Siliguri, Dist. - Darjeeling.

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

1) Salma Khatun, w/o - Tahir

(Attach separate sheet, if necessary): Hussain and 2) Tahir Hussain, both

resident of Das Para Road, Ramganj Bazar, Ramganj, Dist. - Uttar Dinajpur.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary): Goods i.e. LPG Stoves, Gas Pipes, Hose Pipes etc. worth Rs. 11, 24, 770/-

10. Total value of properties stolen / involved Rs. 11, 24, 770 (Rupees Eleven Lacs Twenty four thousand Seven hundred Seventy).

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 has been 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 S.I. Gopalch. Mondal 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

Signature of the Officer-in-Charge, Police Station

Name: DEBARATA SENGUPTA

Rank: No. S.I. OF Police Station

Siliguri Police Station
Siliguri Police Commissioner's

15. Date & Time of despatch to the court: On 19.7.2023 at 10:30 hrs

Received on 18.7.2023 at 19:25 hrs, vide Siliguri PS
CDE no. 957, date - 18.7.23 and started Siliguri PS case
no. 557/23, date - 18.7.23, u/s 406/420/506/34 IPC, SI,
Gopal ch. Mondal has been endorsed for investigation.

To
The Inspector in Charge,
Siliguri Police Station,
Siliguri

Dated: 18.07.2023

kh
18.7.23
Inspector-In-Charge
Siliguri Police Station
Siliguri Police Commissionerate

Sub: Written Complaint against SALMA KHATUN, Proprietor of Raza Bharat Gas Gramin Vitrak and her husband - TAHIR HUSSAIN (Phone No. +91 98511-11997), Das Para Road, Ramganj Bazar, Ramganj, P.O. & P.S.-Ramganj, District-Uttar Dinajpur, Pin-733207.

Respected Sir,

1. That I, Sri Gopal Agarwal (the undersigned), would like to bring to your kind notice that my mother - Smt. Munni Devi Agarwal is the Proprietor of Suraj Enterprises having place of business at Opposite Meghdoot Cinema Hall, Beside Raymond's Showroom, Hill Cart Road, Siliguri and also at 111, Nehru Road, Khalpara, Siliguri, P.O. - Siliguri Bazar, P.S. - Siliguri, District - Darjeeling, Pin - 734005 which is engaged in the business of LPG Stoves, Gas Pipes, Hose Pipes, etc. That my mother does not keep well with her health and as such I have been authorised by my mother to look after all the affairs of the business.

2. That in utter dismay and agony, I, would like to bring to your kind notice that abovenamed **Salma Khatun** and her husband - **Tahir Hussain** of Das Para Road, Ramganj Bazar, Ramganj had approached us in the year 2017 at our aforesaid shop at Hill Cart Road and portrayed their desire to start a similar business at Ramganj, Uttar Dinajpur. Further they induced us to deliver them goods (LPG Stoves, Gas Pipes, Hose Pipes, etc.) on credit basis with a promise that they will clear all outstanding amounts within a time period of one month from the date of invoice. That in due course of time, **Salma Khatun** and her husband - **Tahir Hussain** used to visit our aforesaid shops at Hill Cart Road and Khalpara to collect the goods.

3. That **Salma Khatun** and her husband - **Tahir Hussain** never had any complain with the quality of the goods or its functionality. That **Salma Khatun** and her husband - **Tahir Hussain** never raised any objection about the quality of the products delivered to them. During the course of business, valid invoices were raised in the name of Raza Bharat Gas Gramin Vitrak against the purchases made by them. However, despite the promises made by them to clear the outstanding dues, they miserably failed to clear the outstanding dues as a result of which an amount of Rs. 11,74,770/- (Rupees Eleven Lacs Seventy Four Thousand Seven Hundred and Seventy) only stood outstanding.

4. That I had requested them several times to clear the said outstanding amount but all my requests went in vain as the same was not cleared by them on citation of excuses. That subsequently they asked me for some more time for making the due payment on grounds of Covid - 19 and assured me that they shall clear all the outstanding dues within May, 2022.

5. That on not receiving any further payment from them, I informed them that I shall take necessary legal actions against them to which they assured me that they shall clear the payments soon. They visited our shop at Khalpara, Siliguri in the month of October, 2022 and promised to clear the outstanding dues within 10.11.2022 and requested me not to initiate any legal actions against them. That all such assurances and promises were nothing but tissues of falsehood as they were bent on deceiving us from the very beginning. I requested them to clear the outstanding dues but they refused to pay any money.

6. That finding no other alternative, a Legal Notice dated 01.03.2023 was sent through Ld. Advocate demanding them to clear the outstanding due amount. Subsequently, they replied to the said Legal Notice through their Lawyer vide Notice dated 21.03.2023 wherein it was requested that the matter be settled amicably and that they shall clear all the outstanding dues part by part. That subsequently, they also assured through telephonic conversation that the outstanding dues will be cleared within a week and requested me not to take any further legal action.

7. That despite passage of two months, no payment was received from them and as such a final intimation was sent vide Legal Notice dated 06.05.2023 through Ld. Advocate. That subsequently **Tahir Hussain** approached me on 03.06.2023 and restrained me from filing a complaint before the police authorities and as a mark of their promise, they paid an amount of Rs.50,000/- (Rupees Fifty Thousand only) on 04.06.2023 and promised to clear all the outstanding dues within two weeks. That on 01.07.2023, **Tahir Hussain** called my father and told him that their men will visit us after the panchayat election gets over and clear all the outstanding dues. That today afternoon, two men visited my shop at Hill Cart Road, Siliguri and declared themselves to be the agents of **Salma Khatun** and **Tahir Hussain** and threatened me of dire consequences if I visit my Lawyer or make complaint to the police. They specifically made it known to me that **Salma Khatun** and **Tahir Hussain** shall not pay a single penny and that I shall forget about my outstanding dues of Rs. 11,24,770/- (Rupees Eleven Lacs Twenty Four Thousand Seven Hundred and Seventy). They warned me that if I ever again think about taking any further legal action, they shall vandalize our shops.

8. Sir, I and my mother of 55 years age are feeling helpless. **Salma Khatun** and **Tahir Hussain** have committed acts of cheating, fraud, criminal breach of trust and have criminally intimidated me so that I don't take any legal action. Sir, we are living in fear that the agents of **Salma Khatun** and **Tahir Hussain** will vandalize our shops. Stated this, I plead before you to take immediate cognizance of the matter and initiate necessary proceedings against abovenamed **Salma Khatun** and **Tahir Hussain**.

Thanking You.
Yours Faithfully,

Gopal Agarwal

Sri Gopal Agarwal
Son of Sri Ashok Kumar Agarwal and Smt. Munni Devi Agarwal,
Residing at Nehru Road, Khalpara, Siliguri,
P.O. - Siliguri Bazar, P.S. - Siliguri,
District - Darjeeling, Pin - 734005.
Mobile No.8597111880

Enclosed:-

1. Copy of the Ledger.
2. Copy of the GST Registration Certificate and copy of the bills / invoices.
3. Copy of the Legal Notice dated 01.03.2023.
4. Copy of the Legal Notice dated 21.03.2023.
5. Copy of the Legal Notice dated 06.05.2023.