

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



P.S. Pradhan Nagar Year 2023 FIR No. 527/23 Date 19.07.23

Sections _____ ii) Act I.P.C. Sections 323, 341, 342, 384

iii) Act _____ Sections _____ iv) Others Acts & Sections _____

3. (a) Occurrence of offence : Day _____ Date From 23.10.2022 Date To _____

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date on 19/07/23 Time 22-15hr

(c) General Diary Reference : Entry No (s) 1269/23 Time 22-15hr

4. Type of Information _____ Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 1.5km (South East) Beat No. _____

(b) Address North Bengal Neuro Centre Pvt. Ltd. Nivedita Road, Pradhan Nagar, Siliguri Ps. Pradhan Nagar, Dmjale

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

6. Complainant / Informant :

(a) Name Sol. Minuli Barman

(b) Father's / Husband's Name Ananda Barman

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

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

(f) Occupation _____

(g) Address Middle Palast, Debidanga, Champaran, Ps. Pradhan Nagar Dist - Dmjale

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

(Attach separate sheet, if necessary) : Authority of North Bengal Neuro Centre Pvt. Ltd, Nivedita Road, Pradhan Nagar, Siliguri PO & PS. Pradhan Nagar, Dist - Dmjale.

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 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. Salish Ruetal to take up investigation / refused investigation / transferred to P.S. _____ on point of jurisdiction. FIR read over to the Complaint / 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

15. Date & Time of despatch to the court : on 20.07.23

Signature of the Officer-in-Charge, Police Station
Name : Anirban Bhattacharyya
Rank : No. Inspector of Police
Pradhan Nagar Police Station
Siliguri Police Commissionerate



12/92

IN THE COURT OF THE LD. A.C.J.M. AT SILIGURI

Ref. Misc. Petition Case No. 47 of 2022

In the matter of :

An application u/s 156(3) of Cr.P.C.

- 1. Name and address of the Complainant. :: **SMT. MINUTI BARMAN,**
Wife of Ananda Barman,
resident of Middle Palash,
Debidanga, Champasari, P.S.
Pradhan Nagar, District
Darjeeling, PIN-734003.
- 2. Name and address of the Accused Person. :: 1) **NORTH BENGAL NEURO CENTRE PVT. LTD.,**
Nivedita Road, Pradhan
Nagar, Siliguri, P.O. & P.S.
Pradhan Nagar, Dist.
Darjeeling, PIN-734003,
- 3. Date of offence committed :: Since 23.10.2022.
- 4. Offence committed :: U/S 323/341/342/384 of
Indian Penal Code.

Solemnly Affirmed & Declare before me on identification
[Signature]
Kanchan Bhadra
NOTARY
Siliguri

Received on 19.07.23 at 22:15h
vide Pdn PS G.DENo 1269/23 dt
19.07.23 and stamped Pdn PS
Case No. 527/23 dt 19.07.23 u/s
323, 341, 342, 384 IPC & endorsed
to SI - Salsit Ruchal to
investigate. Lic. can. *[Signature]*

19/7/23 Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate



- 2 -

১৪০৩১৪০৩

5. Name of the Witnesses

- :: 1. SRI NITAI BARMAN (aged about ২৫. years), Son of M. Barman, resident of House No. 201, Middle Palash, Champasari, P.S. Pradhan Nagar, Dist. Darjeeling, PIN-734003,
2. SRI SUJAN MODAK (aged about ৩৫ years), Son of Mayen Modak, resident of Middle Palash, Champasari, P.S. Pradhan Nagar, Dist. Darjeeling, PIN-734003,
3. SRI RATAN BARMAN (aged about ৩৫ years), Son of Ananda Barman, resident of Middle Palash, Debidanga, Champasari, P.S. Pradhan Nagar, District Darjeeling, PIN-734003.



The Complainant begs to state as follows:

1. That the Complainant is a peace loving and law abiding citizen of India having permanent residential address as mentioned above in the cause title.
2. That the Complainant belongs to very poor family.

*Solemnly Affirmed & Declares
before me on identification*

Page 2 of 9

Ananta Bhadra
NOTARY
Siliguri



- 3 -

স্বাস্থ্য সথি

3. That the son of the Complainant Sri Paresh Barman, aged about 25 years, went to work on 21.10.2022 and suffered an accident as he fell from the 1st floor during the course of employment.

4. That immediately took him to Siliguri District Hospital from where they referred to North Bengal Medical College & Hospital.


5. That on 22.10.2022 the Doctors of North Bengal Medical College & Hospital suggested the complainant and her family members to admit the son of the complainant to any Private Nursing Home.

6. That thereafter the complainant admitted her son in North Bengal Neuro Centre Pvt. Ltd., the Accused abovenamed. They asked if patient and his family members were enrolled under Swasthya Sathi Scheme to which they agreed. They further assured the complainant to admit her son Paresh Barman and the complainant admitted her son on 22.10.2022 to the said Nursing Home namely North Bengal Neuro Centre Pvt. Ltd. on 22.10.2022.

7. The authority of said North Bengal Neuro Centre Pvt. Ltd. asked the complainant to pay Rs. 30,000/- (Rupees Thirty Thousand) only as advance payment during the admission itself. On the next day they assured the complainant that the process under Swasthya Sathi Scheme has already been started, but did not take their Swasthya Sathi Card. Meanwhile the Nursing Home through a variety of tests and procedures acquired a lot of money through the bill i.e. Rs. 67,000/- (Rupees Sixty-seven Thousand) only.

*Solemnly Affirmed & Declares
before me on identification*

Page 3 of 9


Anshu Bhadra
NOTARY
Siliguri



শিলিগুরি



8. That on 23.10.2022 the Complainant noticed in a medicine requisition slip that her son was intoxicated with alcohol as per their statement (photocopy of the said requisition slip is enclosed herewith). The statement is a vibrant and outright lie because the son of the complainant was previously admitted in two hospitals i.e. (i) Siliguri District Hospital and (ii) North Bengal Medical College & Hospital before his admission in North Bengal Neuro Centre Pvt. Ltd. and neither of the previous Hospitals mentioned that the son of the complainant was intoxicated. On seeing that the complainant went to the Manager and complained regarding the falsity of the statement and asked them to remove that from the stated slip. The Manager assured the complainant that they will rectify their mistake immediately.

9. That on 29.10.2022 the complainant received a message in her mobile phone that Rs.18,000/- (Rupees Eighteen Thousand) only was already claimed by North Bengal Neuro Centre Pvt. Ltd. They cannot do so because the discharge date was on 01.11.2022 and in order to claim reimbursement they need to send the total bill which can only be produced at the time of discharge and not any day before.

10. That on 01.11.2022 upon demanding to the outstanding bill the management refused to hand-over to the complainant anything more than the knowledge of the due amount and upon further enquiry they said they can only give the complainant the final bill details in hand once the Swasthya Sathi Portal approved of the reimbursement.

*Solemnly Affirmed & Declares
before me on identification*

Kanchan Bhadra
NOTARY
Siliguri



- 5 -

28/11/22

2

However, when the complainant called the toll free number of Swasthya Sathi, the woman on call affirmatively asked the complainant to take the bill details and upload the same to their official Whatsapp business account and they also said not to pay another rupee until the uploading was done. Later in the evening on the same day when the complainant went again to demand the bill the person in-charge of the Swasthya Sathi Department in North Bengal Neuro Centre Pvt. Ltd. harassed the complainant to the utmost extent and refused to hand-over the bill to us and kept saying that once Swasthya Sathi approves of the claim only then shall they provide the complainant with the final bill. The complainant further argued and asked them to give her the bill without the discounted amount to which they asked the complainant to wait outside and they will give it the complainant within an hour. The complainant waited but to no avail. The person in-charge of the Swasthya Sathi Department in North Bengal Neuro Centre Pvt. Ltd. later at some point of time told the complainant that claim in Swasthya Sathi has not been approved when in reality the complainant talked with the Swasthya Sathi Helpline much earlier that day and they specifically told the complainant not to pay one more rupee to the Nursing Home and upload the bill to their Whatsapp Account at the earliest. The Nursing Home deliberately delayed and harassed so that the complainant cannot uploaded the bill in time.

11. That on 01.11.2022 the complainant lodged a FIR at Pradhan Nagar Police Station stating her helplessness and thereafter a police officer came and investigated the matter and told them to handover to them the bill. They denied still and the complainant

*Solemnly Affirmed & Declares
before me on identification*

Kanishk Bhadra
NOTARY
Siliguri



১৯৬৩৫১৬৫

১

- 6 -



were kept waiting in the Nursing Home till 8.30 at night but failed to retrieve the bill (photocopy of the said FIR enclosed herewith).

12. That since 01.11.2022 to 04.11.2022 the patient is left untreated and uncared for without medication and even meals. The complainant used to bring him food from home with great difficulties. The management time and again mentally tormented the patient and threatened the patient with dire consequences if they did not pay the bill that which is out of their hands.

The Nursing Home sent men to the house of the complainant asking the complainant to pay the bills knowing full well of her helpless situation and they said they would not let the son of the complainant go unless they pay the humungous bill.

13. That due to such unwarranted pressurization the complainant was compelled to take her son out of the Nursing Home by paying the outstanding bill which was secured through a loan. And because of the false and outright lie of the allegation the said Nursing Home labeled upon the injured son of the complainant i.e. he was intoxicated with alcohol during the accident, the benefit they were supposed to get from Swasthya Sathi Scheme was rejected.

14. That after paying the bill, the complainant managed through the loan amount they now have less than 3 months to fulfill their duty as a loanee. It is well beyond her comprehension wherefrom shall she manage such amount. The complainant took the loan looking at the broken image of her son, after paying the bill by the money from the loan, she took back her

*Solemnly Affirmed & Declares
before me on identification*

Page 6 of 9

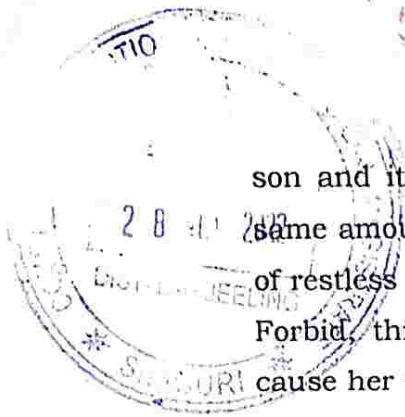

Kanchan Bhadra
NOTARY
Siliguri



Handwritten signature in blue ink, appearing to be 'K. Kanachan Bhadra'.

Handwritten mark or signature in blue ink.

-7-

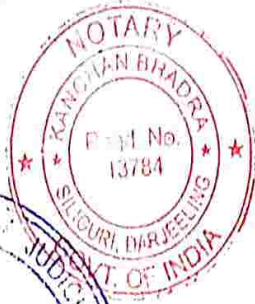


son and it did seem a victory at that time. However now the same amount that brought back her son has become the cause of restless days and sleepless night and this mental agony. God Forbid, this trauma might even push her over the edge and cause her to take away her life by her own hands, now that she is massively failing to recover the amount and the world is closing in on her.

15. That the complainant and her family members belong to the labour class. The son of the complainant is still in pain and the treatment has hardly been satisfactory by any standards. They made the complainant to admit her son in their Nursing Home in a fraudulent way, again labeled a dishonest acquisition that the son of the complainant was intoxicated – all these just so a poor family cannot relish the fruits that the Govt. has grown for helping people like the complaint and her son and other family members. These way they are harassing a poor helpless family whose only desire is to see their son live and recover from this gruesome injury, is just vile. Every time the management saw the complainant and her other family members they kept on asking about the money and said until and unless the complainant did not pay the full outstanding due they will not let her son get out, they behaved very rudely with the complainant and her family members. The Nursing Home and their staffs have made a joke of the emotion of the complainant, a mockery of their helpless pain and suffering and are trying to suck dry their already spent wealth.

*Solemnly Affirmed & Declares
before me on identification*

Kanachan Bhadra
NOTARY
Siliguri



- 8 -

১৫৬৬৬৬৬৬

১৫৬৬৬৬৬৬

16. That the complainant lodged the complaint to Pradhan Nagar P.S. on 01.11.2022 and 07.11.2022 against the accused person but police did not take any steps against the accused person and no specific case have been started against the accused person till now.

17. That it is 27.11.2022 and yet no specific case has been registered, just because the complainant belongs from the labour class and is financially & politically powerless. The complainant and her helpless family still holds on to the hope given to them through the judicial system and has, therefore, come before this Ld. Court in the hope that justice may be served.

18. That the complainant lodged the complaint with the (i) Commissionerate of Police, Siliguri Police Commissionerate, (ii) The Mayor, Siliguri Municipal Corporation, Siliguri, (iii) The SDO, Siliguri, (iv) The Chief Minister of West Bengal, (v) The Head in-Charge, Swasthya Sathi Bhawan on 02.11.2022. Copy of the same also forwarded to The CMOH, Darjeeling & Siliguri Mahakuma Parisad on 07.11.2022.

Therefore it is prayed that your Honour would be kind enough to pass an order allowing this petition filed by the complainant u/s 156 III Cr.P.C. and direction may be given to I.C. Pradhan Nagar P.S. to treat it as F.I.R. and to start a specific case u/s 323/341/342/384 of Indian Penal Code against the Accused Person for the ends of justice.

*Solemnly Affirmed & Declares
before me on identification*

Ranjan Bhadra
NOTARY
Siliguri

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