

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



P.S. Darjeeling Siliguri Year 2023 FIR No 604/23 Date 02/08/23
Sections 406/420/323/354/506/509

3. (a) Occurrence of Offence : Day 15/07/2016 Date From 15/07/2016 Date To 08/08/23
Time Period Time From 15/07/2016 Time To
(b) Information received at P.S. Date 02/08/23 Time 12:15hrs.
(c) General Diary Reference : Entry No(s) 77 Time 12:15hr

4 Type of Information : Written / Oral
5 Place of Occurrence : (a) Direction and Distance from P.S. 1km (approx) Beat No
(b) Address Babupara, Shaila Apartment, Satyen Bose Road,
Ps - Siliguri, Dist - Darjeeling
(c) In case outside limit of this Police Station, then the
Name of the P.S. District

6. Complainant / Informant :
(a) Name Mukul Choudhury
(b) Father's / Husband's Name Lt. Manmath Nath Choudhury
(c) Date / Year of Birth (d) Nationality INDIAN
(e) Passport No. Date of Issue : Place of Issue
(f) Occupation
(g) Address Babupara, Shaila Apartment, Satyen Bose Road,
Ps - Siliguri Dist - Darjeeling.

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : 1 Mr Akash s/o - not known of Champasatu;
PS - Pradhon Nagar, Dist - Darjeeling. 2 Mr Rana s/o - not known
of Fuleshwari, PS - Siliguri Dist - Darjeeling 3 Rana Saha,
all are employee of Tata Capital Housing Finance Limited Siliguri Branch
office at one mile checkpoint near Sona petrol pump, Ps - Bkr, Dist - Jalpaiguri

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
Rs 32000/-

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 is treated as FIR which 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 Tushar Kanti 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.

Noted in original complaint.

14. Signature / Thumb impression
of the Complainant / Informant
On 02/08/23 at 10:30hrs.

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station
02.8.23
Name : Diptajit Dhar
Rank : No.
Siliguri Police Station
Siliguri Police Commissioner

IN THE COURT OF THE ADDITIONAL CHIEF JUDICIAL MAGISTRATE

SILIGURI

Misc. Petition Case no. 40 of 2023

MUKUL CHOUDHURY

Versus

1. MR AKASH AND OTHERS

Order dt. 21/06/2023

This is an application u/s. 156(3) Cr.P.C. filed this day by the petitioner duly supported by an affidavit through Ld. Advocate along with vokalatnama and photo copy of some documents against the opposite parties mentioned in the petition for the committing offence as stated in the said petition praying for direction upon the IC, Siliguri PS for registering this application as FIR and investigate into the matter.

Perused the said petition.

Heard the Ld. Advocate as well as petitioner.

Register the same as Misc. Petition.

On perusal of the facts of the said application and perusal of the documents enclosed by the petitioner in support of his prayer it appears to this Court that information has been tendered to the Commissioner of Police, SPC, Siliguri. However, in reply to this Court's query, it was answered that there are financial relations between the parties. Hence, I find it proper to direct the IC, Siliguri PS to conduct a preliminary enquiry as to the allegations.

The IC, Siliguri PS is hereby specifically directed to submit a preliminary report by 21.07.2023.

To 21.7.2023 for preliminary report from the IC, Siliguri PS.

Let a copy of this order along with the copy of the petition be sent to the IC, Siliguri PS for information and taking necessary action as per law.

D & C by me,

sd/-

ACJM, Siliguri

ADDL. CHIEF JUDICIAL MAGISTRATE  
SILIGURI

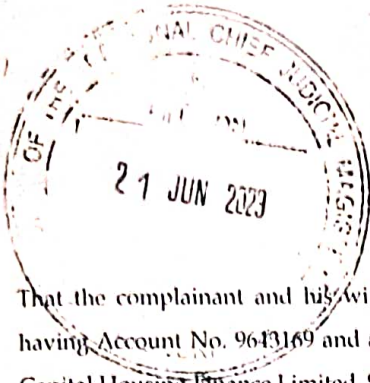
sd/-

ACJM, Siliguri

ADDL. CHIEF JUDICIAL MAGISTRATE  
SILIGURI

Neudate for preliminary report,  
19-8-2023

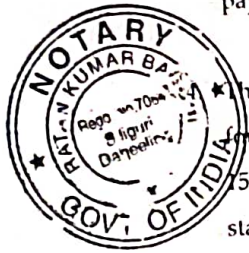
DR. NO. 3264 Dt. 01/8/23  
INSPECTOR - Office  
SLG. Court - SPC.



Indira Choudhury

Handwritten signature/initials.

1. That the complainant and his wife Smt. Piyali Choudhury had taken a housing loan, having Account No. 9643169 and another top-up loan, vide a/c no. 100113230 from Tata Capital Housing Finance Limited, Siliguri Branch, office as mentioned in above.
2. That from the very beginning the complainant has been paying the monthly installment by cash regularly, initially from several months the same was received by accused no.3, one of the agents of said company and in good faith the complainant never enquired him regarding his account statement.
3. That though the complainant is paying the monthly installment regularly, but since few months the installment for the subsequent loan became due for which the accused person nos. 1 and 2 herein are regularly visiting the house of complainant and pressurizing him to pay the entire dues at once inspite of his several request for giving him some time to pay the dues.



4. That in the meantime the complainant got the statement of his loan account where he found some discrepancy in the statement of A/c no. 9643169 as two payments made on 15.07.2016 and 26.07.2016 for amount of Rs. 16,000/- each has not been reflected in his statement, though two separate Money Receipt has been issued by the accused no.3 on behalf of the company, rather the statement is showing the payment of Rs. 15,300/- on 15.07.2016 and Rs. 5,804/- on 26.07.2016.
5. That thereafter on 08.06.2023 the accused person nos. 1 and 2 came to the house of the complainant in his absence and started pressurizing the wife of the complainant to make the payment and when she requested them to leave and come later when her husband will be available the accused persons became rude and lost their temper and assaulted her using filthy languages insulting her modesty.
  6. That on the very next day, i.e. on 09.06.2023 the complainant lodged a written complaint to the Siliguri Police Station but no such action has been taken by the concerned P.S., thus the complainant also informed such fact to the Commissioner of Police on 15.06.2023 but the same also went in vein.

It is pertinent to mention here that in the meantime the Manager of the Tata Capital Housing Finance Limited called the complainant and denied the payment made by the complainant rather claimed that those Money Receipts are duplicate.

7. That this complaint is made bona fide and for the ends of justice.

Solemnly Affirmed & Deputed before me on Identification  
21/06/23  
Ratan K. Bhowmik  
NOTARY  
SILIGURI

mukul choudhury

IN THE COURT OF THE I.D. CHIEF ADDITIONAL CHIEF JUDICIAL MAGISTRATE AT  
SILIGURI

MISC. PETITION NO. 40 of 2023

IN THE MATTER OF:

An application Under Section 156(3) of Cr.P.C.

AND

IN THE MATTER OF:

**SRI MUKUL CHOUDEHURY,**

Son of Late Manmoth Nath Choudhury, Resident of  
Babupara, Shaila Apartment, Satyen Bose Road, Siliguri,  
P.O. & P.S. - Siliguri, Dist.- Darjeeling,

.....Complainant

-Vs-

1. **MR. AKASH,**

Son of Not Known,  
Resident of Champasari, Siliguri,  
P.O. - Champasari, P.S. - Pradhan Nagar,  
Dist. - Darjeeling,

2. **MR. RANA,**

Son of Not Known,  
Resident of Fuleshwari,  
P.O. & P.S. - Siliguri, Dist. - Darjeeling,

3. **RANA SAHA,**

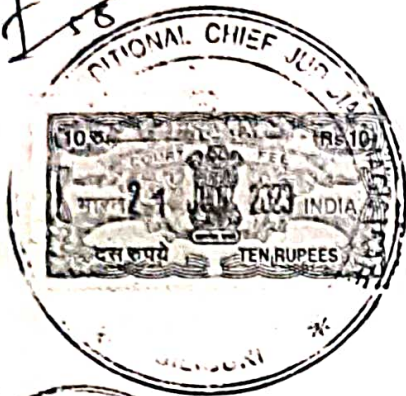
All are the employees of **Tata Capital Housing Finance  
Limited**, Siliguri Branch, office at 2<sup>nd</sup> Mile, Chek Post,  
near Sona Petrol Pump, behind Mahindra Building, P.O.  
& P.S. Bhaktinagar, Dist. Jalpaiguri.

.....Accused Persons

**Offence Committed:** Under Section 406, 420, 354 & 509  
of I.P.C.

The Complainant above named begs to state as follows:-

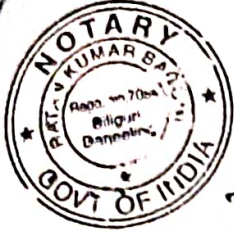
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58



Solemnly Affirmed & Declared  
before me for Identification  
21/08/23  
Anan K. Bagchi,  
NOTARY  
SILIGURI.

Received on 02/06/23 at 12:15 hrs vide SIg PS  
 G.O. No - 77 dt-02/06/23 and started SIg PS  
 Case no - 604/23 dt- 02/06/23 U/G - 406/426/223/  
 354/506/509/34 IPC and referred to SI Tushar  
 Kant Mandal for its investigation.

02-8-23  
 Inspector-In-Charge  
 Siliguri Police Station  
 Commissionerate



70  
 21/06/23

It is, therefore, prayed that Your Honour would graciously be pleased to consider this application u/s 156(3) of Cr.P.C directing Officer In Charge of Siliguri Police Station to treat this complaint as F.I.R and to start a specific against the accused persons under proper sections of law and to investigate the case properly sincerely or to pass such other necessary order/orders as Your Honour may deem fit and proper for the ends of justice.



act of kindness, your petitioner/complainant as in duty bound shall ever pray.

**AFFIDAVIT**

I, Sri Mukul Choudhury, Son of Late Manmoth Nath Choudhury, about ... years, Hindu by Religion, Indian by Nationality, resident of Babupara, Shaila Apartment, Satyen Bose Road, Siliguri, P.O. & P.S. - Siliguri, Dist.- Darjeeling, do hereby solemnly affirm and declare as follows:-

1. That I am the complainant and as such am well acquainted with the facts and circumstances of this case.
2. That the statements made in Para 1 to 7 are true to the best of my knowledge and believe and rest are my humble submission before the Ld Court.

Solemnly Affirmed & Deputed  
 Identified me on Identification  
 21/06/23  
 Manan Kr. Basch  
 NOTARY  
 SILIGURI

I sign this Affidavit this the 21st day of June, 2023 at Siliguri.

*Mukul Choudhury*

Signature of the deponent

Identified by me

*Biprajat Das*

Advocate, Siliguri

Enrollment No:

**AFFIDAVIT**  
 Solemnly Affirmed before me  
 By: Mukul Choudhury  
 of: Siliguri  
 Identified by: B. Das  
 This the 21 Day of June 2023