


FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

367

1. Dist.  P.S. Pradhan Nayar Year 2023 FIR No. 796/23 Date 02/10/23

2. i) Act XLV of 1860 Sections 447, 379, 34 ii) Act IPC Sections

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

3. (a) Occurrence of Offence : Day Date From on 08/09/23 Date To

Time Period Time From at around 20.30 hrs. Time To

(b) Information received at P.S. Date on 02/10/23 Time 14.10 hrs

(c) General Diary Reference : Entry No(s) 78 Time 14.10 hrs

4. Type of Information : Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. North-East, 15 km. Beat No.

(b) Address New Friends Food Corner, Prafulla Nayar, Champasari,
P.S. Pradhan Nayar, Dist. Darjeeling

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

6. Complainant / Informant :

(a) Name Sunny Kumar Prasad

(b) Father's / Husband's Name Shankar Prasad

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

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

(f) Occupation -

(g) Address Jyotnagar colony, near SBI, Champasari, P.S. Pradhan Nayar,
Dist. Darjeeling

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :

(i) Kishore Prasad, (ii) Chandra Devi, (iii) Satrughan Prasad,
(iv) Biswanath Prasad, (v) Roy Kumar Prasad, (vi) Ashoke Prasad,
(vii) Mantosh Thakur and others

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

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

An amount of Rs. 40,000/-, one gold bracelet, gas cylinders, and others.
household articles.

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 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.P. Kalyan Saha 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 written complaint.

15. Date & Time of despatch to the court :
on 03/10/23 at 10.00 hrs.

Inspector-In-Charge
Pradhan Nagar Police Station
Signature of the Officer in Charge, Police Station
02/10/23
Name : Anirban Bhattacharjee
Rank : No. Insp. of police.



Sunny Kumar Prasad


Advocate
Siliguri Darjeeling



In the Court of the Ld. A.C.J.M. at Siliguri

Misc. Case No. 60 of 2023

In the Matter of :

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

AND

In the Matter of :

SRI SUNNY KUMAR PRASAD,

Son of Sri Shankar Prasad, resident of Jyoti Nagar Colony, near State Bank of India, Champasari, Post Office & Police Station – Pradhan Nagar, District – Darjeeling, Pin – 734003.

....Complainant

-VS-

1) **SRI KISHORE PRASAD,**

Son of Late Ramji Prasad,

2) **SMT. CHANDRA DEVI,**

Wife of Sri Satrugan Prasad,

3) **SRI SATRUGHAN PRASAD,**

Son of Kishore Prasad,

All are presently residing at Prafulla Nagar, Behind Pulse Hospital, Champasari, Post Office & Police Station – Pradhan Nagar, District – Darjeeling, Pin – 734003.

4) **SRI BISWANATH PRASAD,**

Son of Late Ram Janam Prasad, residing at Champasari (Opp. to Bata Show Room), Champasari, Post Office & Police Station – Pradhan Nagar, District – Darjeeling, Pin – 734003

5) **SRI RAJ KUMAR PRASAD,**

Son of Late Pannalal Prasad, residing at Rasulpur (in front of old Police Station), Police Station – Rasulpur, District – Chhapra Saran, in the State of Bihar.

Received on 02/10/23 at 14.10 hrs vide PDN PS. GDE NO. 78 and registered PDN P.S. case NO. 796/23 Dt. 02/10/23 U/S 447, 379, 34 IPC and is endorsed to SI Kalyan saha for its investigation.


02/10/23
Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Solemnly Affirmed & Declared
before me on identification


Kanchan Bhadra
NOTARY
Siliguri



Surendra Kumar Prasad


Advocate
Siliguri Darjeeling

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6) SRI ASHOKE PRASAD,

Son of Late Ram Narayan Prasad, residing at C/o Ashoke Jewellers, Old Matigara Road, Siliguri Junction, Post Office & Police Station - Matigara, District - Darjeeling, Pin - 734010.

7) SRI MANTOSH THAKUR,

Father's name not known, residing at Daknikata, Champasari, Post Office & Police Station - Pradhan Nagar, District - Darjeeling, Pin - 734003.

.....Accused Persons

AND

In the Matter of :

A petition for complaint under Section - 447/379/34 of I.P.C.

The Complainant above named begs to submit as follows :-

1. That the Complainant has been running the business of Café & Restaurant in a shop premises under the name and style of "New Friend's Food Corner" at Prafulla Nagar, Champasari, Siliguri, Post Office & Police Station - Pradhan Nagar, District - Darjeeling.
2. That on 08.09.2023 at about 8:30 a.m., the Complainant received a phone call from his neighbouring shop keeper and thereby came to know that the accused persons and their associates, after breaking open the lock of the said shop premises of the Complainant, trespassed into the shop and started looting the cash moneys and other business articles, utensils, gas cylinder, food counters, furnitures etc.
3. That immediately the Complainant rushed to the spot and found that the cash money of Rs.40,000/-, one gold bracelet (kept in the cash counter), gas cylinders, main food counter, utensils, furnitures had been looted by the accused persons and their associates. The accused persons also caused substantial damage to the said shop of the

Solemnly Affirmed & Declared
before me on identification
Complainant.


Kanchan Bhadra
NOTARY
Siliguri

(Contd.....P/3).



Sumanjyoti Dasgupta

Advocate
Siliguri Darjeeling

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4. That immediately after the incident, the Complainant on the even date i.e. 08.09.2023 went to the Pradhan Nagar Police Station and submitted a complaint against the Accused persons and their associates to the Officer In-charge, Pradhan Nagar Police Station.

It is pertinent to mention here that the Officer In-charge, Pradhan Nagar Police Station did not supply any receipt copy of the said complaint to the Complainant.

5. That thereafter the Complainant, on several occasions, went to the Pradhan Nagar Police Station, but he was not given any information about his aforesaid complaint.

6. That though the said complaint disclosed a specific case of criminal trespass and theft, but the Inspector In-charge, Pradhan Nagar Police Station had not started any case upon the said complaint.

7. That as the Inspector In-charge, Pradhan Nagar Police Station avoided to start any case upon the said complaint, the Complainant on 13.09.2023 wrote a letter, enclosing the said complaint, to the Commissioner of Police, Siliguri Police Commissionerate, requesting him to take necessary action upon the same.

8. That in spite of receipt of the said letter by the Commissioner of Police, Siliguri Police Commissionerate, no case has yet been started upon the said complaint.

9. That from the aforesaid acts and conducts of the Accused Persons and their associates, it is crystal clear that they have committed the offences under Section - 447/379/34 of I.P.C.

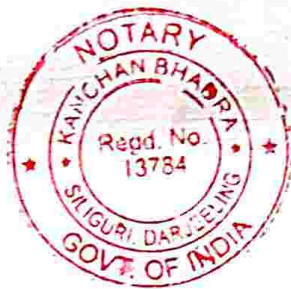
10. That it is necessary to pass an order directing the Inspector In-charge, Pradhan Nagar Police Station to treat this petition for complaint as F.I.R. and investigate into the matter.

*Solemnly Affirmed & Declare
before me on identification*

11. That this petition is made bonafide and for the interest of justice.

Kanchan Bhadra
NOTARY
Siliguri

(Contd.....P/4).



Sunny Kumar Prasad


Advocate
Siliguri Darjeeling

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In the circumstances, it is prayed that your honour would be graciously pleased to direct the Inspector In-charge, Pradhan Nagar Police Station to treat this complaint as F.I.R. and to take appropriate steps against the accused person and his associates for committing the offences under Section – 447/379/34 of I.P.C. and investigate into the matter.

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



AFFIDAVIT

I, **Sri Sunny Kumar Prasad**, Son of Sri Shankar Prasad, aged about 28 years, Hindu by religion, Business by occupation, resident of Jyoti Nagar Colony, near State Bank of India, Champasari, Post Office & Police Station – Pradhan Nagar, District – Darjeeling, Pin – 734003 do hereby solemnly affirm and declare as follows :-

1. That I am Complainant of this case and I am well-conversant with the facts and circumstances of the case.

.....This is true to my knowledge.

2. That the statements made in Paras - 1 to 10 are true to my knowledge and rest are my submission before this Ld.Court.

.....This is true to my knowledge.

I sign this Affidavit on this the 22nd day of September 2023 at Siliguri.


Solemnly Affirmed & Declare.
before me on identification


Kanjchan Bhadra
NOTARY
Siliguri


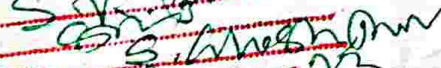
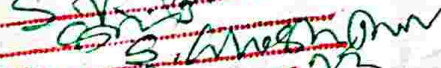


(Signature of Declarant)

Identified by me,


Advocate, Siliguri
Enrolment No. F/668/2015

AFFIDAVIT
Solemnly Affirmed before me

by 
of 
Identified by 
This the 22nd day of Sep 2023