

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1610



1. Dist. Pradhannagar Year 2023 FIR No. 839/23 Date 12-10-2023
 2. i) Act. XIV of 1860 Sections 341, 323, 326, 307, 506, 34 IPC Sections

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

3. (a) Occurrence of offence : Day _____ Date From On 08/07/23 Date To _____
 Time Period _____ Time From At about 21:30 hrs Time To _____

(b) Information received at P.S. Date On 12/10/2023 Time 16:40 hrs

(c) General Diary Reference : Entry No (s) 722/23 Time 16:40 hrs

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. North 0.2 km Beat No. _____

(b) Address Kalimandir, Pokhajote, P.S. Pradhannagar, Dist - Durgaching

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

6. Complainant / Informant :

(a) Name Smt. Neha Gupta Yadav

(b) Father's / Husband's Name Dhiraj Yadav

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

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

(f) Occupation _____

(g) Address New Pokhajote, Champasari, P.S. Pradhannagar, Dist - Durgaching

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

(Attach separate sheet, if necessary) :

1) Shyam Yadav, 2) Nandlal Yadav, 3) Nitish Yadav, 4) Rom Bhujum Yadav, 5) Komlesh Yadav, 6) mithilesh Yadav, 7) Abhdeh Yadav, 8) Rom Japu Yadav, 9) Jaykant Yadav, 10) Patiram Yadav, 11) Smt Rasikumri Yadav, 12) Smt Rina Yadav, 13) Bina Yadav, 14) Soni Yadav all of were residents of Pokhajote, P.S. Pradhannagar.

8. Reasons for delay in reporting by the Complainant / Informant _____

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 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.I. Kalyan Saha 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 written complaint.

15. Date & Time of despatch to the court :

On 13/10/2023 at 10.00hrs

Signature of the Officer-in-Charge, Police Station

Name Anirban Bhattacharjee

Rank : No. Inspector of Police

Inspector in charge
 Pradhannagar Police Station
 Sitiguri Police Commissionerate

Neha Gupta Yadav

Files No.:

(M. K. Das)

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

REF: MISC PETITION NO. 67 /2023

IN THE MATTER OF

:

An application U/S 156(3) of Cr. P.C.

IN THE MATTER OF

:

Smt. Neha Gupta Yadav,
Wife of Dhiraj Yadav,
Resident of New Pokai Jote,
Champasari, P.O. Champasari,
P.S. – Pradhan Nagar,
Dist. – Darjeeling

.....Complainant

V/S

NAME & ADDRESS OF THE ACCUSED PERSON:

10/10/23

Received on 12/10/23 at 16:40 hrs
vide PDN PS GDE No- 722 and initiated
Pradhan Nagar PS Case no- 839/23 dated
12/10/2023 U/S 341, 323, 326, 307, 506,
34 IPC and endorsed to SI Kalyan
Saha for its investigation.

12/10/23
Inspector-in-charge
Pradhannagar Police Station
Siliguri Police Commissionerate

1. Shyam Yadav,
Son of Raju Yadav,
2. Nandalal Yadav,
Son of Raju Yadav,
3. Nitish Yadav,
Son of Raju Yadav,
4. Ram Bhajan Yadav,
Son of Lokeshwar Yadav,
5. Kamlesh Yadav,
Son of Ram Bhajan Ydav,
6. Mithilesh Yadav,
Son Ram Bhajan Yadav,
7. Abhdhesh Yadav,
Son of Ram Bhajan Yadav,
8. Ram Japu Yadav,
Son of Lokeshwar Yadav,

Neha Gupta Yadav

9. Jaykant Yadav,
Son of Shiva Yadav,

10. Patiram Yadav,
Son of Shiva Yadav

11. Smt. Rajkumari Yadav,
Wife of Lt. Raju Yadav

12. Smt. Rina Yadav,
Wife of Avdesh Yadav

13. Smt. Bina Yadav,
Wife of Ram Japu Yadav

14. Smt. Soni Yadav,
Wife of Shyam Yadav

All are resident of
New Pokai Jote, Champasari,
P.O. & P.S. Pradhan Nagar
District – Darjeeling

.....Accused Persons

OFFENCE COMMITTED
UNDERSECTION

: U/S – 323/326/341/354 B/307/506/34 of I.P.C.

The above named complainant / Informant begs to State as follows:-

1. That the accused no. 1 and the husband of the complainant namely Dhiraj Yadav are dealing with business at Siliguri Regulated Market, Siliguri.
2. That on 08/07/2023 at about 9.30 P.M. the above named accused persons surprisingly attacked the husband of the complainant in front of Kali Mandir, Pokai Jote over some business issue. All of them were armed with lathi, sword and big size stones. They planned to murder the husband of the complainant. All of them hit the husband of the complainant on his head with wooden battam and sword. The husband of the complainant was brutally assaulted there. He became senseless. The husband of the complainant sustained bleeding injury on his head.

Neha Gupta Yadav

Mrs. Neha Gupta Yadav
Adv.

Some of the local persons informed the complainant that her husband was attacked by the above named accused persons. The complainant went there immediately to rescue her husband but she was not allowed to take her husband to hospital, rather the accused persons assaulted the complainant there by fist and blows. The accused persons even pelted stones upon the complainant. The complainant thereafter finding no other alternative went to Pradhan Nagar, Police Station. Police rescued and admitted the husband of the complainant to Siliguri Sadar Hospital.

3. That on 09/07/2023 at about 10.00 A.M. the complainant went to Pradhan Nagar, Police Station to lodge F.I.R. against the above named accused persons but Police did not accept the F.I.R. of the complainant knowing fully well that her husband was brutally assaulted by the above named accused persons and at that point of time the complainant was admitted in Siliguri Hospital. The condition of the husband of the complainant was very much serious and many stitches had been done on his head to survive his life. The accused persons till today are continuously threatening the complainant, as the Police did not accept the complaint till this date.
4. That thereafter the complainant appeared to the Commissioner of Police and lodged the F.I.R. to him on 09/07/2023. In spite of receiving it no specific case has been started against the accused persons. The complainant accordingly hereby files the complaint under section 156 (3) of Cr.P.C. stating all the material facts against the accused persons.
5. That the accused person has committed cognizable offences and the complainant is hereby compelled to file the instant application.
6. That this complaint is bonafide one and for the ends of justice.

Under the above circumstances it is prayed that your Honour would be graciously pleased to send this complaint to the I.C. Pradhan Nagar P.S. with a direction to investigate the matter after treating this petition as F.I.R. U/S 156 (3) for the ends of justice.

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

AFFIDAVIT

I, Smt. Neha Gupta Yadav, Wife of Dhiraj Yadav, aged about ___ years, Hindu by religion, Housewife by occupation, Residing at New Pokai Jote, Champasari, P.O. Champasari, P.S. – Pradhan Nagar, Dist. – Darjeeling, do hereby solemnly affirm and declare as follows:

- i) That I am the complainant of the present case and I know the facts and circumstances of the case.
- ii) That I went to the Pradhan Nagar P.S. to lodge a F.I.R. but they did not receive the F.I.R.. Thereafter I lodged the F.I.R. to the Commissioner of Police on 09/07/2023 but no action has been taken.
- iii) That the statements made in Para 1 to 06 are true to the best of my knowledge and belief.
- iv) That the rest are my submission.

I, sign this affidavit on this ___ Day of September, 2023.

Neha Gupta Yadav
Deponent

Identified by me,


Advocate, Siliguri