

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



SPC

P.S. Pradhan Nagar Year 2023 FIR No. 895/23 Date 02/11/23

Sections 21(c), 23(c), 37A, 29 of NDPS Act Sections

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

3. (a) Occurrence of Offence : Day Date From On 02/11/23 Date To

Time Period Time From 00.05 hrs Time To 01.15 hrs

(b) Information received at P.S. Date On 02/11/23 Time 01.45 hrs

(c) General Diary Reference : Entry No(s) 63 Time 01.45 hrs

4. Type of Information : Written Written / Oral

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

(b) Address Naya Busty, near pulse Hospital, Champasari, P.S. Pradhan

Nagar, Dist. Darjeeling

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

Name of the P.S. District

6. Complainant / Informant :

(a) Name SI Youel Lepcha

(b) Father's / Husband's Name Jai Tshering Lepcha

(c) Date / Year of Birth 28 years (d) Nationality Indian

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

(f) Occupation Service in West Bengal police

(g) Address Pradhan Nagar PS/ SPC

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

(Attach separate sheet, if necessary) :

(i) Dulal chowdhury (M/40), s/o Lt. Sahadeb chowdhury of Gennabari, Aliganj, P.S. Islampur, Dist. Uttar Dinajpur, (ii) Dilip Das (M/40), s/o Rameswar Das of state farm colony, P.S. Islampur, Dist. Uttar Dinajpur, (iii) Kunal Samra, of panjipara.

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

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

1) one paper made cartoon containing 100 (one hundred) bottles of Triprolidine Hydrochloride and codeine phosphate cough Linchus Syrup PHENSEDYL cough syrup each bottle containing 100 ml. having batch no. PHD23070, mfg. date Sep-23, Expiry dt. Nov, 24. MRPRS-205.48, marked as exhibit 'A'. mentioned in seizure list. Cont...

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 SI Jimut Kemti Roy 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

Signature of the Officer-in-Charge, Police Station

Name Anirban Bhattacharjee

Rank : No. Inspector in Charge

Pradhan Nagar Police Station

Siliguri Police Commissionerate

15. Date & Time of despatch to the court :

On 02/11/23 at 11:00 hrs.

continue with col. NO-09:

- (2) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "B".
- (3) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "C".
- (4) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "D".
- (5) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "E".
- (6) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "F".
- (7) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "G".
- (8) One white colour XYLO vehicle displaying number plate WB/91/3314 with a sticker "ON EMERGENCY DUTY, W.B.S.E.D.C.L. GOVT OF W.B.

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21/11/23
Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate



To
The Inspector-In-Charge,
Pradhan Nagar PS,
Siliguri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith 02 (one) arrested accused persons namely (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur along with the following articles under proper seizure list. The ground of arrest duly been communicated with them.

- (1) One paper made cartoon containing 100 (one hundred) bottles of Triprolidine Hydrochloride & Codeine Phosphate cough Syrup "PHENSEDYL" Cough Syrup each bottle containing 100 ml having Batch No. PHD23070, Mfg date SEP. 23, Expiry date NOV.24, MRP Rs. 205.48, marked as Exhibit "A".
- (2) One paper made cartoon containing 100 (one hundred) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84, marked as Exhibit "B".
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- (8) One white colour XYLO vehicle displaying number plate WB/91/3314 with a sticker "ON EMERGENCY DUTY, W.B.S.E.D.C.L. GOVT OF W.B.

I, SI Youel Lepcha S/O Jai Tshering Lepcha of Pradhan Nagar PS, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted two arrested accused persons namely (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur and one Kunal Santra of Panjipara to the effect that on 01.11.23 at 21.05 hrs I, received a reliable specific source input that two persons are coming from Islampur side by a white colour XYLO vehicle with a sticker of Govt of West Bengal in the front side of the vehicle with huge quantity of illegal cough syrup and they will go to Samar Nagar via Naya Busty to deliver the same to their designed customer. Accordingly, the matter was diarized in General Diary vide Pradhan Nagar PS GDE No 49 dated 01.11.23 and informed the matter to the Inspector-in-Charge, Pradhan Nagar PS in written. Subsequently, being directed by Inspector-in-Charge, Pradhan Nagar PS, SPC I along with SI Goutam Mallik, SI Sahajahan Ali, ASI Biplab Kr Das, C/762 Majibul Rahaman, CV/223 Swapan Chhetri, CV/645 Pankaj Gupta, CV/242 Rakesh Mangar, CV 128 Ajay Sahani, CV 646 Baban Das, CV 992 Jagadish Biswas and CV/645 Pankaj Gupta all of Pradhan Nagar PS, SPC left for Naya Busty near Pulse Hospital under Pradhan Nagar PS, Dist.- Darjeeling by Govt. vehicle with investigation kits to verify the veracity of the information. This refers to Pradhan Nagar PS GDE No 50 Dt. 01.11.23 and M.C.C No 5067/23 dated 01.11.23. I also informed one Videographer namely Somnath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling over telephone and directed him to come at Naya Busty near Pulse Hospital under Pradhan Nagar PS, Dist.- Darjeeling with his video camera for the purpose of videography if required. Under these circumstances any search warrant or authorization for search cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender. On the way I briefed all the police personnel and share the information in hand.

At about 21.40 hrs I along with above mentioned officers and force reached at Naya Busty near Pulse Hospital under Pradhan Nagar PS, Dist.- Darjeeling and contacted two independent witnesses namely (i) Litan Saha S/O Late Ranjit Saha of Netajee Nagar, Ward No-46, PS- Pradhan Nagar and (ii) Goutam Debnath S/O Gopal Debnath of Bagha Jatin Colony, 45.03, PS- Pradhan Nagar, Dist.- Darjeeling and informed them about the source input and requested them to act as witness, if any search and seizure would be made, upon which they agreed. I also issued notice to the said independent witnesses.

SI Youel Lepcha

At around 22.35 hrs I noticed one vehicle was coming from Circuit House side towards Naya Busty in high speed. We managed to stop the said vehicle at Naya Busty near Pulse Hospital and noticed that there is a sticker as "ON EMERGENCY DUTY, W.B.S.E.D.C.L. GOVT OF W.B. In the front side of the said vehicle and also found two persons inside the said vehicle. Thereafter, we disclosed our identity as police personnel and informed them regarding the information in hand and stated them that they will be searched in person for the said purpose. On being asked the driver of the said vehicle disclosed his identity as Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and another person who boarded in the rear seat disclosed his identity as Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur and admitted that there are total 700 (seven hundred) bottles cough syrup in 7 separate cartoon loaded in the said vehicle. I, then gave them option in writing whether they wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above.

Accordingly, I informed the matter to the I/C, Pradhan Nagar PS and as per his kind order, I informed the fact to Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day regarding interception of the accused person suspected to be possessed illegal cough syrup and requested him to come at Naya Busty near Pulse Hospital under Pradhan Nagar P.S, Dist.- Darjeeling to remain present and to supervise the search and seizure. At 22.35 hrs the above noted camera man arrived at the spot. Accordingly, I issued a notice to him for videography the entire process of search and seizure. At 23.55 hrs Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day arrived at the spot at Naya Busty near Pulse Hospital. Then, I offered the independent witnesses and the detained persons to search our Police Party as per provisions of law but they denied to search the police party. Thereafter, in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day and independent witnesses noted above, I searched the detained persons following all formalities, keeping their strict regard of decency but found nothing except their wearing apparels but on searched their vehicle displaying number plate WB/91/3314 and found total 07 (seven) numbers of paper made cartoon inside the said vehicle. Then I opened all the seven paper made cartoon in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC, independent witnesses as well as detained persons and found one paper made cartoon containing 100 bottles of Triprolidine Hydrochloride & Codeine Phosphate cough Syrup "PHENSEDYL" Cough Syrup each bottle containing 100 ml having Batch No. PHD23070, Mfg date SEP. 23, Expiry date NOV.24, MRP Rs. 205.48, and another six paper made cartoon containing 100 bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC23145, Mfg date APR. 23, Expiry date SEP.24, MRP Rs. 225.84 in each cartoon. On demand in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC as well the independent witnesses the detained persons failed to produce any valid documents/papers for possessing of such huge quantity of 'Codeine Phosphate' based Cough Syrup. On further interrogation they admitted their guilt and stated that they had procured the said Cough Syrup clandestinely from one of their supplier namely Kunal Santra of Panjipara for the purpose of selling the same in high rates to their designed customers for their personal gain by illegal means. They also disclosed that they have been dealing such type of business of procuring and selling of cough syrup illegally for last few months for their wrongful gain.

Accordingly, I seized the above noted articles under proper seizure list from the joint possession of accused (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC and above mentioned independent witnesses and obtain their signature and acknowledged by the accused persons and marked as Exhibit-"A" "B" "C" "D" "E" "F" "G" and "H". Subsequently, I sealed and labelled the seized articles in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC, independent witnesses and the above noted accused person. The whole process of search, seizure and label was made under the coverage of videography by the videographer named Somnath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling in between 00.05 hrs to 01.15 hrs. on 02.11.23.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

SI Moud Lepcha

Then I arrested the above noted accused persons namely (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur after observing all formalities and informing him the ground of his arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused persons namely (i) Dulal Chowdhury (40 yrs) S/O Late Sahadeb Chowdhury of Gennabari, Aliganj, PO+PS- Islampur, Dist.- Uttar Dinajpur and (ii) Dilip Das (46 yrs) S/O Rameswar Das of State Firm Colony, PO+PS- Islampur, Dist.- Uttar Dinajpur and one Kunal Santra of Panjipara and arrange for its investigation.

Enclosures:

- i) Original Memo of Arrest.
- ii) Original seizure list along with seized articles and other relevant documents..

Yours faithfully,

SI Youel Lepcha
(SI Youel Lepcha)

Pradhan Nagar PS, SPC

Date 02/11/2023

*Received on 02/11/23 at 01.45 hrs vide. PPN
P.S. GIDENO. 63 and is registered PPN P.S. case
No. 895/23 Dt. 02/11/23 U/S 21(c), 22(c), 27A,
29 of NDPS Act and is endorsed to SI Jimut
Kanti Roy for its investigation.*

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02/11/23

Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate