

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



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1. Dist. SPE P.S. Pradhan Nayars Year 2023 FIR No. 994/23 Date 01/12/23

2. i) Act. XLV of 1960 Sections 406, 420, 468, 120B ii) Act. IPC Sections

iii) Act. Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From since long Date To Time Period Time From Time To

(b) Information received at P.S. Date on 01/12/23 Time 14:30 hrs.

(c) General Diary Reference : Entry No (s) 04 Time 14:30 hrs.

4. Type of Information written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. North West, 02 km Beat No.

(b) Address Partid measuriney 02 katha, Khatian No. 62/1 and 62/3 of mouza manylaymri, J.L. NO. 107(85), parayama patharghata, P.S. pradhan nayars, Dist. Darjeeling.

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

6. Complainant / Informant :

(a) Name Sabita Dey

(b) Father's / Husband's Name Dilip Kumar Dey

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

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

(f) Occupation

(g) Address Pati Colony, Road No. 03, P.S. pradhan nayars, Dist. Darjeeling.

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

(Attach separate sheet, if necessary) : (i) Ashok prasad, (ii) Anil prasad,

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. 9,50,000/-

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 Barndham 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 Noted in written complaint.

15. Date & Time of despatch to the court : on 02/12/23 at 11:00 hrs

Inspector-In-charge 01/12/23
Pradbannagar Police Station
Signature of the Officer-in-Charge, Police Station
Name Anubam Bhattacharjee
Rank : No. hosp. of police

Received on 01/12/23 at 14:30 hrs vide PDN PS GDE
No. 04 and is registered PDN PS. Case No. 994/23
Dt. 01/12/23 U/s 406, 420, 408, 120B IPC and is endorsed
to SI Bandhan Roy for its investigation.

01/12/23

To
The Inspector-In-Charge;
Pradhan Nagar Police Station,
Pradhan Nagar, Dist. Darjeeling.

Dated:- 29/11/2023

Sub:- **F.I.R.** against **Mr. Ashok Prasad** and **Mr. Anil Prasad** for committing the offence of Criminal Breach of Trust, Cheating, Preparing Forged Documents and used the same for transferring the valuable security for their wrongful and illegal gain.

Respected Sir,

With due regards, I, **SMT. SABITA DEY**, Wife of Sri Dilip Kumar Dey, Resident of Pati Colony, Road No. 03, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, In the State of West Bengal, would like to lodge this written complaint before your good authority to the effect that my husband is a Retired Govt. Employee and since the date of our marriage, we have been residing at the above mentioned address along with my other in laws members.

Sir, I along with my family members knew **Mr. Ashok Prasad**, Son of Ram Narayan Prasad, of Champasari, P.O. Champasari, P.S. Pradhan Nagar, Dist. Darjeeling and at present residing at Gate Bazar, Siliguri Junction, Siliguri, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, as a local Jewelry Businessman and he has been carrying on a business of Jewelry on and from his shop situated at Gate Bazar, Old Matigara Road, Ward No. 01, Siliguri Junction, Siliguri under the name and style as 'Ashok Prasad Jewellers' and we being the customer, used to visit in his said jewelry shop as customer and thereby, a good relation was developed amongst ourselves as a shop owner and customer.

Sir, in the month of November, 2019, I along with my husband went to the jewelry shop of said Ashok Prasad for purchasing some jewelry items and during our discussion and conversation with the owner of the said shop namely Mr. Ashok Prasad, said Ashok Prasad started to induce us by saying that he along with his brother Sri Anil Prasad are the joint owners of a homestead land measuring 0.033 Acre or 02 Katahs, appertaining to and forming part of R.S. Plot No. 91, recorded in R.S. Khatian No. 62/1 & 62/3, of Mouza - Manglaguri, J.L. No. 107(85), Paragana - Patharghata, Under the Police Station - Matigara now Pradhan Nagar, Dist. Darjeeling and they are in urgent need of money and due to their financial crisis, they have decided to sold out the said property to the intending purchaser and also tried to convince and induce us to purchase the said property from them and in order to grow our confidence, they have stated that if we purchase the said property from them, they will transfer their said property in our favour on a reasonable rate and thereby, we will definitely be benefited but initially, we flatly refused to purchase the said property.

Thereafter, very surprisingly, said Ashok Prasad and his brother Anil Prasad have visited our house and met with us personally and produced one forged valuable deed before us and by showing the same, they are constantly trying to convince us to purchase the said property from them and also induced us by saying that they are in extreme financial crisis for which, they have decided to sold out their said property

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on such reasonable rate to us and due to their continuous inducement and provocation by their systematic words, we have induced by them and ultimately, decided to purchase the said property from them on a valuable consideration amount of Rs. 15,00,000/- only, which they have also agreed.

Accordingly, one Deed of Agreement for Sale was prepared and executed in between myself and said Ashok Prasad and his brother Anil Prasad on 26.12.2019 whereir., myself and said Ashok Prasad have put our respective signatures on the said document and on behalf of Anil Prasad, the wife of Ashok Prasad has put her signature in the said Deed of Agreement for Sale as at that relevant point of time, Anil Prasad was not available there and at the time of execution of the said agreement, they have assured me that as and when Anil will come, they will obtain his signature on the said Deed of Agreement for Sale and on being induced by them, at the time of execution of the said Deed of Agreement for Sale Dated: 26.12.2019, I have paid a sum of Rs. 6,50,000/- (Rupees Six Lakhs Fifty Thosuangd) only to Mr. Ashok Prasad as advance payment out of the total consideration amount of Rs. 15,00,000/- only against the purchase of their said property and said Ashok Prasad has acknowledged the same as having received and at the time of execution of the said Deed of Agreement for Sale, they have assured me that they will supply all the necessary documents and papers with respect to the said property in my favour as early as possible but even after elapse of certain period, neither they supply any documents in my favour nor they take any initiative to register the said property in my name though, I was ready to take the registration of the said property in my name after paying the balance consideration amount to them.

Sir, thereafter, on several occasion, I along with my husband have made several request to said Ashok Prasad and his brother Anil Prasad to execute a proper Deed of Sale in my name after receiving the balance consideration amount from me but they have started to neglect and delayed the matter on different pretext and finally, even after elapse of much more time, they have failed to take any initiative to transfer the said property in my name and thereafter, they have made apologies before us by saying that due to some familiar issues, they could not able to perform their obligations within the time and also requested us to extend some further period of time to take registration of the said property in my name and at that time, they have again succeeded to induced us to prepare and execute another fresh agreement in amongst us to extend the said period of time and on being induced by said Ashok Prasad and Anil Prasad, I have agreed the same and accordingly, a Memorandum of Settlement was prepared and executed in between myself and said Ashok Prasad and Anil Prasad on 11.08.2021 and at the time of execution of the said Memorandum of Settlement, they have again asked and requested to pay some of the balance consideration amount to them as they are in need of money and as per their inducement, I have again paid a sum of Rs. 3,00,000/- (Rupees Three Lakhs) only to said Ashok Prasad which he has acknowledged as having received and accordingly, a further six months period has been extended to handover all the necessary documents to me and it has also been contended that registration shall be taken place within 15 days from the date of handing over the necessary documents with respect to the said property and by these way, I have already entrusted a total sum of Rs. 9,50,000/- (Rupees Nine Lakhs Fifty Thousand) only to said Ashok Prasad and Anil Prasad against the

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purchase of the said property but very surprisingly, after receiving a sum of Rs. 9,50,000/- (Rupees Nine Lakhs Fifty Thousand) only from me, they have started to show complete negligence towards us and even after expiry of the said stipulated period of time, neither to supply the necessary documents to me nor execute the proper Deed of Sale in my favour though, again and again I have informed them that I am ready to pay the balance consideration amount to them and as and when, I along with my husband requested them to make necessary arrangement for registration of the said property, they did not make any attempt to that effect and on contrary, they started to threaten us with dire consequences and for which, some doubts have been created in our mind and thereafter, I along with my husband have started to make necessary searching about the genuineness of the said property and after thorough searching, we became surprised when we came to know that the said property is not at all free from encumbrances and charges and some litigations are pending before the Ld. Civil Court amongst said Ashok Prasad, Anil Prasad with their uncle Sri Shankar Prasad and the said litigations are still pending before the Court of Law and inspite of pendency of the said litigations, they are intentionally and most illegally induced us to purchase the said property from them though, it is very much within their knowledge that the said property is not at all free as some litigations are pending with respect to the title of said property and when the said fact came to our knowledge, we have made protest against them and asked them to return our money back immediately but they have flatly refused to return the same and on contrary, they have stated that in order to achieve some monetary gain, they have intentionally induced us to execute such agreement with us and they will never transfer the said property to me and they have also confessed that only in order gain our confidence, they have prepared a forged valuable deed with respect to the said property by putting some signatures in the place of vendors and by showing the said forged valuable documents, they have induced us to purchase the said property from them by showing their said property is free though, they are well known to the fact that the same forged and manufactured one and by using the said forged valuable security, they have misappropriated a total sum of Rs. 9,50,000/- only from me illegally and now when we asked and requested them to return my entrusted money, they have flatly refused to return the same and also threatened us with dire consequences and also stated that if we dare to lodge any complaint against them, they will not hesitate to ruin our life and property permanently.

I, therefore, request you to kindly investigate into the matter and please take appropriate legal action against said Ashok Prasad, Anil Prasad, Smt. Rita Prasad and others under the specified sections of law after treating my present complaint as an F.I.R. and oblige thereby.

Your early action is highly solicited.
Thanking you

Yours Faithfully



(SMT. SABITA DEY)

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