

FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.)

169



P.S. Proaduanagar Year 2023 FIR No. 998/23 Date 01/12/2023

Sections 21(a), 22(c), 27A, 29 of NDPS Act

Sections ..... iv) Others Acts & Sections .....

3. (a) Occurrence of offence : Day ..... Date From 01/12/2023 Date To .....

Time Period ..... Time From 9.17 between 21:25 hrs to 22:15 hrs Time To .....

(b) Information received at P.S. Date 01/12/2023 Time 22:40 hrs

(c) General Diary Reference : Entry No (s) 34 Time 22:40 hrs

4. Type of Information Written Written / Oral

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

(b) Address Near Entry gate of Siliguri Junction Public Bus Stand, PS. Proaduanagar, Dist. Dooars

(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 - (d) Nationality Indian

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

(f) Occupation Service in West Bengal Police

(g) Address Proaduanagar PS under SPC

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

(Attach separate sheet, if necessary) :

Pankaj Roy (26) s/o Bimal Roy of South Ambekar Colony, W/M-401, PS. Proaduanagar Dist. Dooars and others

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

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

One green & white mixed color nylon bag styled as Malabar 786 containing 30 (Thirty) bottles of chlorophyllum barium malate & Coline Phosphate each 100ml

10. Total value of properties stolen / involved bottle containing 100ml and MRP RS 205.31/- and marked as "Exhibit A"

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 look up the investigation / directed SI Pratap Balak

investigation / refused investigation / transferred to P.S. to take up 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  
SI Youel Lepcha

15. Date & Time of despatch to the court : 02/12/23

Inspector of Police  
Signature of the Officer in Charge of the Police Station  
Name Ananta Kumar Choudhury  
Rank : No. Insp of Police





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

Received on 01/12/23 vide PDMPS UDC No  
34 Dt 01/12/23 and started PDMPS case  
No - 998/23 Dt 01/12/23 U/S 21(C), 22(C), 2A,  
29 of NDPS Act and endorsed to SI  
Pratap Bala for FIR in violation.

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

Sub: - F.I.R

Sir,

In producing herewith 01 (one) arrested accused person namely Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling along with the following articles under proper seizure. The ground of arrest duly been communicated with him.

- (1) One green & white mixed colour nylon bag styled as Malabari 786 containing 30 (thirty) bottles of Chlropheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC22057, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/- and marked as Exhibit 'A'.

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 arrested accused person named Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling to the effect that on 01.12.23 at 18.25 hrs I, received a reliable specific source input that one person possessing huge quantity of illegal Cough Syrup without any valid license will come at Siliguri Junction Public Bus Stand entry gate under Pradhan Nagar PS, Dist.- Darjeeling to deliver the same to his designed customer. Accordingly, the matter was diarized in General Diary vide Pradhan Nagar PS GDE No 18 dated 01.12.23 and subsequently, I informed the matter to the Inspector-in-Charge, Pradhan Nagar PS in written. Subsequently, being directed by Inspector-in-Charge, Pradhan Nagar PS, SPC myself along with SI Goutam Mallik, ASI Manoj Kr Roy, ASI Biplab Kr Das, CV/223 Swapan Chhetri, CV/645 Pankaj Gupta and CV/242 Rakesh Mongar all of Pradhan Nagar PS, SPC left for Siliguri Junction 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 19 Dt. 01.12.23 and M.C.C No 5176/23 dated 01.12.23. 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 Siliguri Junction Bus Stand under Pradhan Nagar PS, Dist.- Darjeeling with his video camera for the purpose of videography if required. Under this 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 19.05 hrs I along with above mentioned officers and force reached Siliguri Junction under Pradhan Nagar PS contacted with my source while he stated that the person possessing illegal cough syrup will come at near entry gate of Siliguri Junction Public Bus Stand. I also contacted two independent witnesses namely (i) Krishna Sahani (29 yrs) S/O Upendra Sahani of Rajendra Nagar Coolipara, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Sandip Sahani (22 yrs) S/O late Dinanath Sahani of Rajendra Nagar Coolipara, Ward No-01, 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. Then, as per source information at around 19.50 hrs we along with the said independent witnesses reached at entry gate of Siliguri Junction Bus Stand and being pointed and identified by the source I, noticed that one person with a green & white mixed colour nylon bag in his hand is standing at entry gate of Siliguri Junction public Bus Stand. Accordingly, I along with above noted officers and force cordoned the place carefully and managed to detain the suspected person with a green & white mixed colour nylon bag in his hand. Thereafter, we disclosed our identity as police personnel and informed him regarding the information in hand and stated him that he will be searched in person for the said purpose.

On being asked the detained person disclosed his identity as Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling and admitted that he has illegally possessed cough syrup and come there for selling the same to his designed customer as per his requirement. I, then gave him option in writing whether he 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.

SI Youel Lepcha

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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 vide C.O. No 4177 dated 29.11.23 and Memo No 10066(21)GOA/SPC/V dated 29.11.23 regarding interception of the accused person suspected to be possessed illegal cough syrup and requested him to come at Siliguri Junction public bus entry gate under Pradhan Nagar P.S, Dist.- Darjeeling to remain present and to supervise the search and seizure. At 20.25 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 21.15 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 Siliguri Junction public bus stand entry gate. Then, I offered the independent witnesses and the detained person 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 person following all formalities, keeping his strict regard of decency but found nothing except his wearing apparels but on searched the green & white mixed colour nylon bag in his possession recovered 30 (thirty) bottles of Chlopheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC22057, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/-. On demand in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC as well the independent witnesses the detained person named Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling failed to produce any valid documents/papers for possessing of such huge quantity of 'Codeine Phosphate' based Cough Syrup. On further interrogation he admitted his guilt and stated that he had procured the said Cough Syrup clandestinely from one of his supplier for the purpose of selling the same in high rates to his designed customers and also stated that he is waiting there for his customer to deliver the same for his personal gain by illegal means. He also disclosed that he has been dealing such type of business of procuring and selling of cough syrup illegally for last few months for his wrongful gain.

Accordingly, I seized the said green & white mixed colour nylon bag styled as Malabari 786 containing 30 (thirty) bottles of Chlopheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC22057, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/- and marked as Exhibit "A" under proper seizure list from the possession the above noted accused named Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC and independent witnesses and obtain their signature and acknowledged by the accused person. 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 21.25 hrs to 22.15 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act. Then, I arrested the above noted accused person named Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling after observing all formalities and informing him the ground of his arrest and issued necessary Memo of Arrest.

Under the above fact and circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused person namely Pankaj Roy (26 yrs) S/O Bimal Roy of South Ambedkar Colony, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling 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

*21/11/23*