

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



816

1. Dist. PC P.S. Bhaktinagar Year 2024 FIR No. 16/24 Date 06/01/2024

2. i) Act PC Sections 447/323/325/354B/354/379/34 ii) Act — Sections —

3. Date of offence : Day — Date From 20/12/2023 Date To —

Time Period — Time From 14.00 hrs. Time To —

(b) Information received at P.S. Date 06/01/2024 Time 20.05 hrs.

(c) General Diary Reference : Entry No (s) 270 Time 20.05 hrs.

4. Type of Information — Written / Oral —

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

(b) Address Complainant's Paternal House at Pareesh Nagar, Ward no. 44, PS-Bhaktinagar, Dist-Jalpaiguri.

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

6. Complainant / Informant :

(a) Name Smt. Pampa Roy

(b) Father's / Husband's Name Sri Sujit Pramanik, s/o-Lt. Sridam Roy

(c) Date / Year of Birth 34 years (d) Nationality Indian

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

(f) Occupation House wife

(g) Address Pareesh Nagar, Ward no-44, PS-Bhaktinagar, Dist-Jalpaiguri.

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : ① Sri Manoj Roy s/o-Lt. Sridam Roy, & ② Smt. Sauchita Roy w/o-Manoj Roy both of Pareesh Nagar, Ward no-44, PS-Bhaktinagar, Dist-Jalpaiguri.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One gold neck chain weighing one bhoori and cash Rs. 10,000/-

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 F.I.R. is reproduced overleaf.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., Registrar case and took up the investigation / directed ASI Arjun Prasad Dhyani Inspector-In-Charge Bhaktinagar Police Station Silli, Jharkhand

investigation / refused investigation / transferred to P.S. — 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.

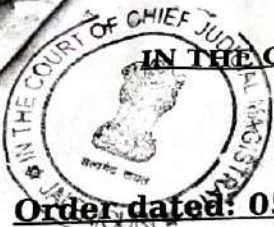
14. Signature / Thumb impression of the Complainant / Informant Noted in Original Complaint.

15. Date & Time of despatch to the court : — Inspector-In-Charge Bhaktinagar Police Station Silli, Jharkhand

Signature of the Officer-In-Charge Police Station Sri Amar Singh

Name : Sri Amar Singh

Rank : No. 1/C, Bhaktinagar PS.



IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No-04/24

PAMPA ROY VS MANOJ ROY

Order dated: 05-01-2024

This day the complainant has filed a petition praying for passing necessary direction upon the concerned Police Station for treating the written complaint as FIR as per provisions of Section 156 sub-section (3) of the Criminal Procedure Code 1973.

The complainant is present and he is examined by this court.

Heard Ld lawyer for the complainant.

Series of documents[photo copies] have been filed. Affidavit as stipulated by law has been filed. It is apparent that the modalities of section 154 (3) and section 36 of Criminal Procedure Code 1973 has been complied with. Thus the directions of the Hon'ble Supreme Court given in *Lalita Kumari versus State of U.P [2014] 2 SCC 1* and *Priyanka Srivastava and another versus State of UP and others [2015] 6 SCC 287* have been complied with.

Meticulously examined the petition in which allegations of cognizable offence/s have been disclosed. The facts prima facie reveal that criminal complexion can certainly be conjured up. The nature of allegations also persuades me to hold that intervention by police authority is necessary and the cause of justice can only be served by detailed probe.

Hence the prayer is allowed.

The written complaint be sent to I/C Bhaktinagar and I/C Bhaktinagar. is directed to conduct investigation following the modalities of law treating the complaint as FIR **and to file compliance report to this end at the earliest.**

Let a copy of this order along with the petition of complaint be sent to the I/C Bhaktinagar who is **directed to invest her own consideration to the facts alleged and he should not be influenced by the mere manifestation of the sections- if any- mentioned in the written complaint.**

Be it mentioned here that if any police case has already been started on the basis of F.I.R. lodged by the complainant over the same facts as envisaged in the present complaint, in that event matter shall be reported to this Court and no fresh case shall be started until further order from this end.

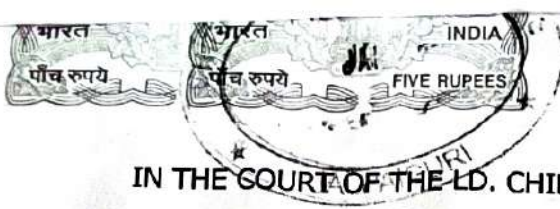
Comply at once.

It is reiterated here that as per order of the Hon'ble High Court in CRM 4792/2019 **FIR shall be drawn up at the police station not later than 24 hours from the date of receipt of order u/s 156(3) Cr.P.C. and non compliance of the same will entail action u/s 23 Police Act and departmental action also.**

Fix 05-02-2024 for compliance report from P.S. concerned.

*copy forwarded to
I/C Bhaktinagarps,*

[Signature]
CJM, Jalpaiguri
Chief Judl. Magistrate
Jalpaiguri



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FILE

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Satavisa

IN THE COURT OF THE LD. CHIEF JUDICIAL MAGISTRATE, AT JALPAIGURI

Ref: - Misc Petition Case No.

04/24
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In the matter of:

Received on 06/01/24 at 20.05 hrs, An Application U/S. 156 (3) Of Cr.PC

vide BKN PS GDE No. 270 and
Started Bhaktinagar PS Case
No. 16/24 Date 06/01/2024

AND

u/s - 447/323/325/354B/354/
379/34 I.P.C. ASI Arjun
Prasad Dhyani will investigate
the case.

In the matter of:

Smt. Pampa Roy,

W/O. Sri. Sujit Pramanik,

D/O, Late. Sridam Roy,

Of, Paresn Nagar,

Sevoke Road,

Ward no. 44 of S.M.C,

P.S: Bhakti Nagar,

District- Jalpaiguri.

.....Complainant

----Versus----

1. **Sri. Manoj Roy,**

S/O. Late Sridam Roy,

2. **Smt. Sanchita Roy,**

W/O. Sri Manoj Roy,

-----Both are resident of
Paresn Nagar, Ward no. 44 of S.M.C, P.S.
Bhaktinagar, District: Jalpaiguri.

.....Accused Persons

Date of occurrence: - 20/12/2023 and is continuing.

Time of occurrence: - at about 2 P.M (at noon).



05 JAN 2024

5/02/24

Perused
05/01

Place of occurrence:-

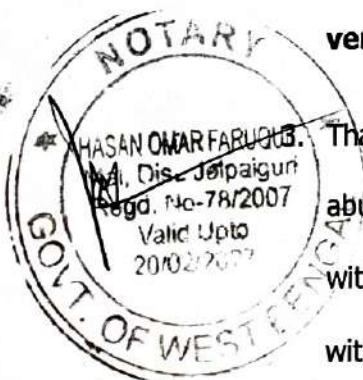
Complainant's Paternal House, at Pares
Nagar, ward no.44 of S.M.C, P.S:
Bhaktinagar, District: Jalpaiguri, (W.B).

1. That the Accused no.1, Sri. Manoj Roy is own elder brother and Accused no. 2, Smt. Sanchita Roy is own boudi (said elder brother's wife) of the Complainant.
2. That Since after death of Complainant's father, said Manoj Roy (Accused no.1) and Sanchita Roy (Accused no.2) started to massive torture as physically and mentally upon the Complainant and her said younger sister due to they (the accused persons) want to illegally grab / occupy their entire father's property to fulfill their wrongful gain, hence, said allege brother and boudi have/ had interfered for every matter in her paternal house. Even, her said boudi and her elder brother committing massive physical and mental torture upon the complainant and her said younger sister, namely, Smt. Aparna Roy for several times (almost every days) without any cogent reasons, therefore, the complainant received several injuries. The accused persons also threatened the complainant to face dire consequence if comes near the wall.

As a matter of fact, after demise of her (the Complainant) father, said Manoj Roy (accused no.1) trying to evict her and her said younger sister (name as stated above) from proportionate share of her father's property which is their inheritable right as per Hindu Succession Act. Notwithstanding, said accused persons are dangerous and desperate in nature.

It is pertinent to mention here that, the Complainant is a physically handicapped lady, as much as, having very low visions into her two eyes.

That her said boudi, Smt. Sanchita Roy (wife of Manoj Roy) using lots of abusive words and quarrel with the Complainant and her said younger sister without any cogent reason in most of the times. She used to pick-up quarrel with the complainant without any reason and used to abused her by filthy and insulting languages and used to assault her by fists and blows and with kicks.



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4. That the accused no.1 used to abuse the complainant in high voice and invoice mood in presence of the local people and neighbours and also in public places within public views and hearing and humiliated and insulted her before them in such way and hurt her ego in that manner which gave tremendous mental pain to her.
5. That the complainant digested/tolerated all such physical and mental torture and cruelty acts upon her as she has been thinking that one day the accused persons would change their such nature, character and behaviour but the accused persons did not change their such cruel conducts, nature, behaviour and character and they continued to treat such heinous acts upon her in such way as stated above.
6. That suddenly, On 20/12/23, at 2 p.m (at noon), while she (the Complainant) was staying with her said younger sister at her Paternal house (address as stated above), then, said accused persons have/had illegally entered their room without knocked, thereafter, accused persons started to use abusive words towards the complainant and her younger sister, during that time, accused no. 1 (Manoj Roy) started to assaulted her by fists and blows and by kicks, at that time, accused no. 2 used criminal force upon the complainant. The Complainant fell down on the floor. Indeed, said Manoj Roy (accused no.1) also used caught/touched different parts of her body persons and caught her wearing apparel cloth and ultimately outraged her modesty in presence of her sister, during that time, they physically assaulted to the complainant by slapping catching her hair's log and used criminal force upon her and in this way, accused no. 1 snatched gold neck chain weighing 1 (one) bhoori from her neck and took Rs. 10,000/- (rupees ten thousand) from under quilt of her bed (where she kept the same). Hence, they are shocking for acts and activities of accused persons. Therefore, the complainant & her said younger sister have/had raised hue and cry. Then the allege persons decamped from complainant's room, but before decamping, the accused persons threatened her and her sister by saying that, if anyone, i.e., the complainant or her sister

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make any complain to any authority against them, then they will murder her and her Sister.

So, since then they (the Complainant and her sister) have been living/ residing at her father's house (details as stated above) with lots of fear, anxiety and triggering trauma in their present moment. They received/sustained extremely bodily pain due to such assault.

For such assaulted, the complainant sustained bodily pain in her body. On the same date, the complainant and her sister rushed to Bhaktinagar P.S for lodging F.I.R against them but concern P.S was refused to take/accept/receive her F.I.R and advised to approach the court in the matter. The complainant also informed the Superintendent of Police, Jalpaiguri by speed post but nothing has been done hence the case .

7. That since long the accused persons are trying to evict the complainant and her said younger sister from said house forcefully and illegally.

But she (the complainant) strictly and rigidly made strong Protest against their such attempt. So they came to their room and committed the afore-said offences in vendetta and reprisal.

8. That the complainant has the witnesses in support of the case including the Medical Prescription etc.
9. That this Ld. Court has jurisdiction to pass an Order under section 156(3), Cr.PC in this case as the offence has been committed within the jurisdiction of the Ld. Court.

10. That the accused persons have committed the offences punishable u/s. 447/323/326/354/354B/355/379/511/120B/34 of IPC.



11. That without the assistance of Police by suitable investigation, evidences of the afore-said incident including the injury report of the complainant cannot be collected and the accused persons cannot be apprehended and brought to book.

PRAYER

It is prayed that your Honour may be pleased to direct the I.C, Bhaktinagar P.S to investigate the Case after treating this Petition as an F.I.R U/S. 156(3) of Cr.PC and to submit Report before Your Honour for ends of justice.

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

AFFIDAVIT

I, **Smt.Pampa Roy**, W/O, Sri. Sujit Pramanik, D/O, Late. Sridam Roy, aged about 34 years, Hindu by religion, housewife by occupation, resident of Paresh Nagar, ward no. 44 of S.M.C, District: Jalpaiguri, do hereby solemnly affirm and declare as follows:-

1. That I am The Complainant of this case.
2. That the statements made in this petition from paragraph Nos. 1 to 11 are true to the best of my knowledge and belief and the rest is my humble prayer before this Ld. Court.
3. That I sign this affidavit on this the 5th day of January, 2024 at Jalpaiguri.



Pampa Roy

(Declarant)

Solemnly affirm and declare
before me on proper identification

Identified by:-

Hasan Origi Faruque, NOTARY
Dist. Jalpaiguri

Regd. No-78/07, Expiry on- 20/02/2027
Govt. of West Bengal

Satavisa Basu

(Advocate)
Satavisa Basu
ADVOCATE
Enrollment No. 5400000000000000

05 JAN 2024