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P.S. Bhaktinagar Year 2024 FIR No. 116/24 Date 11/02/24

Sections 420/406/34 ii) Act _____ Sections _____

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

3. (a) Occurrence of offence : Day _____ Date From 17/01/24 Date To _____

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 11/02/24 Time 13:35 hrs

(c) General Diary Reference : Entry No (s) 582 Time 13:35 hrs

4. Type of Information typed Written / Oral Written Oral

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

(b) Address MS Export House, Plot NO- 47, 48, Ukhuchitram Colony, South Ekhtosal, Banerwan, Near Siliguri, Dist. Jalpaiguri

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

6. Complainant / Informant : Tommay Uhemka

(a) Name _____

(b) Father's / Husband's Name Rajendra Prasad Uhemka

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

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

(f) Occupation _____

(g) Address Gayatri Niwas, Ward NO-40, Himachal Saremi By Lane, Near Kuti Mandir, Mandepara Siliguri, Dist. Jalpaiguri

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

(Attach separate sheet, if necessary) :
① Saurav Datta, Proprietor of Agawal & Sons, GSTIN- 08DYOP-00279J123, Plot NO-91, Tibupati Vikram, Niwami Link Road, Govind Dev Ji M Path, Jhotwala, Jaipur-302012, Rajasthan

8. Reasons for delay in reporting by the Complainant / Informant :
② Nanesh Agawal of Gopal Bhanan, Church Road, Siliguri

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
Rs 10,59,345/- (Rupees Ten Lakh, Fifty Nine Thousand Three Hundred and Forty Five)

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 typed complaint which is treated as FIR is reproduced overleaf.

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 Gopal Chandra Mandal to take up investigation / refused investigation / transferred to P.S. Bhaktinagar on point of jurisdiction. FIR read over to the Complainant / 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 is on the complaint

Inspector in Charge
Signature of the Officer in Charge [Signature]
Name IC Bhaktinagar PS, Siliguri
Rank : No. SAC.

15. Date & Time of despatch to the court :

Dt. 10/02/2024

To,

**The Inspector-in-Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate
Siliguri, Dist. Darjeeling**

**Sub: Written Complaint against the below mentioned accused persons
for commission of various crimes as under Indian Penal Code, 1860.**

Dear Sir,

I, **Tanmay Khemka, S/o Rajendra Prasad Khemka, Partner, M/s Export House** bearing GSTIN: 19AAJFE3690B1ZG, situated at Plot No. 47, 48, Khudiram Colony, South Ektiasal, Baneshwar More, Siliguri, Dist. Darjeeling-734001 in the state of West Bengall and permanent resident of Gayatri Niwas, Ward No. 40, Himachal Sarani By Lane, Near Kali Mandir, Haiderpara, Siliguri, Dist. Jalpaiguri, would like to inform you as follows:

1. At the very outset it is stated that the present complaint is against Saurav Daruka, Proprietor of Agarwal and Sons, bearing GSTIN: 08DYOPD0179J1Z3, situated at Plot No. 91, Tirupati Vihar, Niwaru Link Road, Govind Dev Ji Ke Pass, Jhotwara, Jaipur-302012 in the state of Rajasthan, Ph. +91-9351428606/+91-9558762632 and one Naresh Agarwal, resident of Gopal Bhawan, Church Road, Siliguri, Ph. +91-9832426474 for mischievously procuring money from me by illegally inducing me and misusing the business relations of me with by fraudulently delaying the amount so due, when they evidently had no intention of returning.
2. That I was introduced to Agarwal and Sons and its business through the aforesaid Naresh Agarwal, who are very well known to each other and are accomplices in commission of crimes against me.



3. That as represented by both the accomplices, M/s Agarwal and Sons deals in variety of sales and services of Copper Sheets across different sectors.
4. That pursuant to requests made by both the accused persons placed a Purchase Order vide Voucher No. EH/PO/2324015 amounting to Rs. 2,35,410/- (Rupees Two Lakhs Thirty-Five Thousand Four Hundred Ten Only), Voucher No. EH/PO/2324016 amounting to Rs. 14,12,460/- (Rupees Fourteen Lakhs Twelve Thousand Four Hundred and Sixty Only) and Voucher No. EH/PO2324017 amounting to Rs. 4,70,702/- (Rupees Four Lakhs Seventy Thousand Seven Hundred Two Only), all dated 16th January, 2024, for purchasing Copper Sheet(s) of various sizes and dimensions.

****Copies of all Purchase Order attached herewith.**

5. That consequently Agarwal and Sons, raised a Sale Order on 16th January, 2024, vide Order No. 2022148 of the total amount of Rs. 21,18,690/- (Rupees Twenty-One Lakhs Eighteen Thousand Six Hundred Ninety Only) as per the above-mentioned Purchase Order and assured me that the goods as described in the Sale Order will be dispatched once 50% advance amount is so transferred into their bank account mentioned in the Sale Order.

****Copy of the Sale Order attached herewith.**

6. That, pursuant to the business commitments and with bonafide intent, I, on 17th January, 2024 initiated the payment of 50% of the total amount value, i.e. Rs. 10,59,345/- (Rupees Ten Lakhs Fifty-Nine Thousand Three Hundred and Forty-Five Only) in favor of Agarwal and Sons, through Bank Transfer (RTGS) bearing Reference ID: 1440589600, UTR No.



ICICR42024011700513631 and the payment so made was acknowledged by both of the accomplices.

**** Copy of the Transaction Receipt attached herewith.**


7. That thereafter after receiving and acknowledgement of around 50% of the total amount as described in the Sale Order, both the accomplices, in the onset of fulfillment of their malicious intentions, expressed their inability to supply materials as described in the 'Sale Order' and falsely assured me that the advance payment so made by me shall be refunded to my bank account and to discharge their liability as being the Proprietor of Agarwal and Sons.
8. That thereafter both the accomplices started to ignore my calls and text messages which completely took me by surprise and further validated my fear that both the accomplices herein mentioned above have cheated me and caused criminal breach of trust as they never had an intention to repay the said advance amount and adopted tactics to make me run pillar to post to recover his advance amount while they enjoy the said amount without having the intention to ever pay me back.
9. That with the above facts on record it is stated that Proprietor of Agarwal and Sons and his accomplice Naresh Agarwal have fraudulently, maliciously and in furtherance of their ill-design have caused criminal breach of trust by not repaying the said advance amount with me in addition to inducing me to part with my working capital so that both of them could cheat me as both of them deliberately never intended to return the said amount.



10. That both the accomplices, in vehement and utter disregard to the law of land and in enforcement of their criminal intentions to cause wrongful loss to me have been constantly ignoring and delaying the repayment of outstanding dues legally payable to me.

In the light of the above facts stated on record, I, the undersigned would like to request you to kindly register this criminal complaint against the aforesaid persons for illegally inducing me, causing criminal breach of trust, fraudulently and illegally inducing money from me to cause me wrongful loss for their wrongful gain, and for commission of various offences under Indian Penal Code, 1860.

Yours Faithfully,


Sri Tanmay Khemka
Partner
Export House
Ph. +9800057000

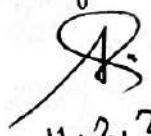


Copies attached:

1. Copies of all Purchase Order(s) bearing Voucher No. EH/PO/2324015, EH/PO/2324016 and EH/PO2324017, all dated 16th January, 2024
2. Copy of the Sale Order of the total amount of Rs. 21,18,690/- (Rupees Twenty-One Lakhs Eighteen Thousand Six Hundred Ninety Only).
3. Copy of the Transaction Receipt.

*Received on 11/02/24 at 13:35 hrs with
GDE NO- 582 and started Bhaktinagar
PS case no - 116/24 Dtd - 11/02/24
420/406/34 ZPC and endorsed to SI
Gopal Ch. Mondal for its investigation.*

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11.2.24
Inspector-In-charge
Bhaktinagar Police Station
Siliguri Police Commissionerate