

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

1151

1. Dist. Daryeeling P.S. Siliguri Year 2024 FIR No. 301/24 Date 29.03.2024

2. i) Act Sections x ii) Act IPC Sections x iv) Others Acts & Sections x

3. (a) Occurrence of offence : Day x Date From 16.01.23 Date To 04.03.24 Time From 29.03.24 Time To 21.40 hrs.

(b) Information received at P.S. Date 2005 Time 21.40 hrs.

(c) General Diary Reference : Entry No (s) 2005 Written / Oral

4. Type of Information Written

5. Place of Occurrence : (a) Direction and Distance from P.S. 1.5 km West Beat No. 1

(b) Address Spencer Plaza 2nd floor, above Visal Mega Mart, P.S. - Siliguri, Dist. Daryeeling

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

6. Complainant / Informant : (a) Name Dibyendu Dutta

(b) Father's / Husband's Name Bimalendu Dutta (d) Nationality Indian

(c) Date / Year of Birth Date of Issue Place of Issue

(e) Passport No. Occupation Branch Manager of Sriram Finance Ltd

(f) Address Siliguri Branch Spencer Plaza, 2nd floor, above Visal Mart, P.S. - Siliguri, Dist. DSH.

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

(Attach separate sheet, if necessary): ① Tjirul Haque, s/o- Md. Sultan ② Hasimul Islam s/o- Jamiruddin, both of Fulbari Hat, P.S. - N.S.P., Dist- Jalpaiguri.

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

Particulars of properties stolen / involved (Attach separate sheet, if necessary): ① Rs. 26,58,902/- (Twenty Six Lakh Fifty Eight Thousand Nine Hundred two Rupees only)

9. Total value of properties stolen / involved

Inquest Report / U.D. Case No. If any Nil

FIR Contents (Attach separate sheets, if required): The original written complaint which is treated as FIR is enclosed herewith

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 Newton Biswas of KHP T.O.P under to take up investigation / refused investigation / transferred to P.S. Siliguri P.S. SPC 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.

On original written complaint

1. Signature / Thumb impression of the Complainant / Informant

5. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station Name : Binod Singh Rawat Inspector Incharge Rank : No. Siliguri Police Station Siliguri Police Commissionerate



To,
The Officer in Charge,
Khalpara Town Out Post
(Under Siliguri Police Station),
Siliguri, West Bengal

Date:

Sub: Complaint/FIR against accused persons:-

Complainant: -

Mr. Dibyendu Dutta , Son Bimalendu Dutta, Branch Manager of **Shriram Finance Ltd.**, (Formerly known as Shriram Transport Finance Company Limited) Siliguri 1 Branch, Spencer Plaza, 2nd Floor, Above Vishal Mart, P.O.& P.S. Siliguri, Dist Darjeeling (W.B.)-734005, Having its registered Office at 3rd Floor, Mookambika Complex No-4, Lady Desika Road, Mylapore, Chennai-600004, Tamilnadu.

Accused persons: -

1. Tjirul Haque (Borrower)
S/O Mahammad Sultan
Badlagach, Near Fulbari Custom Office
P.O Fulbari Hat, P.S -N.J.P
Dist - Jalpaiguri
West Bengal Pin - 734015
Mob-8617889839

2. Hasimul Islam (Guarantor)
S/O Jamiruddin
Shugi Bhita
P.O Fulbari Hat, P.S -N.J.P
Mahananda Project, Near Jugi Vita More
West Bengal.734015
Mob- Mob- 8670397476/8918626642

Received on 29/03/24 at 21.40 hrs vide G.O.E No. 2005 and started sig ps case No. 301/24 dt. 29/03/24. u/s 403/420/34 IPC and endorsed to SI Newton Biswas of KHTOP under sig ps Sir,

for its investigation.
29/3/2024
Inspector Incharge
Siliguri Police Station
Siliguri Police Commissioner

This is to bring into your kind knowledge that our borrowers and guarantor **Tjirul Haque and Hasimul Islam**, who had taken financial assistance for the purchase of JCB 3DX of 2022 which **Registration Number: WB74BM8855, Engine No. H00358051, Chassis no HAR3DXU4A03073812** under a Loan cum hypothecation Agreement No. SILG12212290001, Dated 16/01/2023, from our branch office situated at Spencer Plaza, 2nd Floor, Above Vishal Mart, P.O. & P.S. Siliguri, and District Darjeeling (W.B.)-734005.

The details of the Vehicle are here under for your reference:-

Make and Model	JCB 3DX of 2022
Vehicle Registration No.	WB74BM8855
Total agreement value	₹ 37,46,946/-
Total Borrower paid till date i.e 02/03/24	₹ 5,80,800/-
Amount outstanding as on 04/03/2024	₹ 26,58,902/-

The Borrowers and guarantor had an ample knowledge that they owe the Company the total agreement value of ₹ 37,46,946/- (Thirty Seven Lakh Forty Six Thousand Nine Hundred Forty Six Rupees) only which will be paid by 59 monthly installments accordingly. Upon their faith and constant approaches and request, the said **borrower and guarantor** had entered into Loan Cum Hypothecation Agreement with our company and committed to us that they will make payment regularly and punctually and until they make full and final payment they will hold the said vehicle as a mere bailee of our company and they will not have any proprietary right.

Received on 29.03.2024 at 20:35 hrs. Vide Khalpara TOP G.O.E No. 779 Dt. 29.03.2024 and forwarded to I/c Sig. P.S to start a specific case under proper section of law and endorsed to SI Newton Biswas for his investigation.

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Total outstanding amount is Rs.26,58,902/(Twenty Six Lakh Fifty Eight Thousand Nine Hundred Two Rupees Only) as on 04/03/2024 excluding other charges. Despite our repeated request and reminders, he did not made payment to the huge outstanding dues, when our company's representatives met with the said borrowers and guarantor and their family to make payment of their huge dues for the said vehicle being No. WB74BM18855 and also requested them for physical inventory of the said vehicle, the said accused persons (borrower and guarantor) who threatened us with dire consequences and denied to repay the due loan amount. The accused persons are very desperate and dangerous in nature having no respect in the law of land.

That on enquiry our representatives, have come to know that the said Accused persons (borrower and guarantor) in collusion with each other have sold the JCB 3DX of 2022 to unknown persons. The said borrowers and guarantor had fraudulently with a dishonest intention to cause wrongful gain to them and wrongful loss to us and removed, concealed, transferred or delivered the hypothecated vehicle without our consent which is endorsed in the name of M/s Shriram Finance Ltd.

The Borrower and guarantor have also committed criminal breach of trust, wrongful loss to us because the vehicle was a security of the Company and it was their responsibility to take proper precaution to safe guard the interest of the Company until the loan is paid back. It is moreover alleged that the said Borrower and guarantor have deceived and cheated us fraudulently and dishonestly and eventually induced us to grant loan for the delivery of the vehicle to them and such act had caused damages and harm to the business interest of the company.

That we sent the Arrear Intimation notice & Vehicle Production Notice to pay the outstanding amount but both the Accused Persons are not able to produce the vehicle and also not pay the outstanding balance and when our officials persons visit the above noted Accused persons house they threatened the officials persons with dire consequences. We came to know that they willfully sale the vehicle and confiscated the hypothecated Assets to some other person for their own profit to cheat the company.

Therefore, as a lawful owner and also as a financier of the said vehicle, it is pleaded before you to take proper action against the guilty persons. So, that the law may prevail and the justice may take due course.

So, our humble request to you forthwith to take proper action against the accused persons and to take appropriate steps to treat the FIR against the above named persons otherwise our company will suffer irreparable loss and injury.

Thanking you in anticipation of a favorable and immediate action,

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Thanking You,

Documents Enclosed,

- 1) Statement of Account
- 2) Final Data Sheet
- 3) Attested Photocopy of Hypothecation Cum Loan Agreement.

- 4) Vehicle Production & Arrear Notice
- 5) Vahan Copy
- 6) Loan Sanction

For Shriram Finance Limited
Yours faithfully for and On behalf of
SHRIRAM FINANCE LTD.

Authorized Signatory,

(Signature)

Branch Manager

MOB. NO. +91 7384353904

Place: Shriram Finance Ltd
Spencer Plaza, 2nd Floor,
Above Vishal Mart, P.O.&
P.S. Siliguri, Dist Darjeeling
(W.B.)-734005

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Shriram Finance Limited

(Formerly known as Shriram Transport Finance Company Limited)

Admn. Office : 6th Floor, (level 2), Building No. Q2, Aurum Q Parc, Gen 4/1, TTC, Thane Belapur Road, Ghansoli, Navi Mumbai - 400 710. Tel: +91 22 40957575

Registered Office : Sri Towers, Plot No.14A, South Phase, Industrial Estate, Guindy, Chennai - 600 032. Tamil Nadu, India. I Tel: +91-44-485 24 666

Website : www.shriramfinance.in | Corporate Identity Number (CIN) - L65191TN1979PLC007874