

1. Dist. Jalpaiguri P.S. NSP/SPC Year 2024 FIR No. 303/24 Date 05-04-24

2. i) Act Sections 447/506/34 IPC Act Sections

iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Friday Date From 05-04-24 Date To

Time Period Time From not noted Time To

(b) Information received at P.S. Date 05-04-24 Time 11-20 hrs

(c) General Diary Reference : Entry No (s) 235 Time 11-20 hr.

4. Type of Information written Written / Oral

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

(b) Address LR Plot No-457 & 462, Mouza-Birnaguri, SLM-03, LR sheet No-17, LR Plot No-457 & 462

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

6. Complainant / Informant :

(a) Name Smt. Saheda Begum (M.No-6294917154)

(b) Father's / Husband's Name Musaref Hossain

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

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

(f) Occupation

(g) Address Milarpally, W.No-25, PS Biliguni Dist Darjeeling

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

(Attach separate sheet, if necessary) :

- ① Mithu Ghosh of Kadamtala PS-Matigara Dist-Darjeeling
- ② Subir Bhattacharya / 10 House of Samir Majumder of Sukanta Pally PS-Bagdogra Dist Darjeeling
- ③ Anup Thirani S/O Durga Datta Thirani of M.G. Mang, Chongok, Sikkim and others.

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

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

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 complaint of the complainant which is to be taken as FIR is reproduced of 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 SK Tamzid Ali to take up investigation / refused investigation / transferred to P.S. 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.

Noted in written complaint

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station  
Name Debabrata Khan  
Rank : No. SI of Biliguni  
05-04-24

15. Date & Time of despatch to the court :



Date: 05.04.2024.

Commissioner of Police  
Siliguri Police Commissionerate  
Siliguri

Sub: Complaint against grabbing/encroachment of our land.

Respected Sir,

With due respect, I Saheda Begam, D/o Musaraf Hossain of Milanpally, Ward No.: XXV, P.O. Siliguri, Pin: 734001 would like to draw your kind attention to the facts that I have a land in Mouja: Binnaguri, J.L. No.: 03, LR Sheet No.: 17, LR Plot No.: 457 & 462. Some persons/land mafias namely Mithu Ghosh of Kadamtala, P.S.: Matigara, Dt: Darjeeling, Pin: 734012, Subir Bhattacharjee, C/o House of Samir Majumder, Village: Sukantapally, P.O. & P.S: Bagdogra, Dist: Darjeeling Pin: 734014 & Others have been trying to grab my land from the day when I had purchased it. All these type of activities are being conducted under the brainchild of Sri Anup Thirani, S/o Durga Dutt Thirani of M.G. Marg, Gangtok, Sikkim- 737101. In view of the above circumstances, we have instituted two civil cases in the court of the Ld. Civil Judge, Junlor Division, Jalpaiguri being T.S. No.: 429 of 2022 and T.S. No.: 434 of 2022. Both the cases are under subjudice till now. The Hon'ble Judge has also allowed ad-interim injunction and restrained the defendants and their men and agents from causing interference in the peaceful acts of possession of the plaintiffs and forbidding them from encroaching any portion of the suit property forcibly. Finding no other way, one of the opponents had also filed a writ being no.: W.P.A. No.: 2499 of 2023 at the Circuit Bench of Calcutta High Court at Jalpaiguri alleging inaction on the part of Police Commissioner, Siliguri Police Commissionerate and Officer-in-Charge, NJP Police Station. But they had suppressed some facts like Ad-interim Injunction and Restrain Order passed by the Civil Judge, Jr. Divn., Jalpaiguri in the instant writ petition to pass an order obliquely in their favour. After observing all the material facts, the Hon'ble Judge of the Circuit Bench of Calcutta High Court at Jalpaiguri passed an order in respect of the Writ Petition which is as follows:

" Under such circumstances, the allegation of inaction on the part of the police authorities is not established. The police authorities are being directed to continue the vigil, so that no untoward incident takes place. They shall conclude the investigation in a free and fair manner, strictly in accordance with law "

On 31<sup>st</sup> March, 2024 at around 12.00 noon, I came to know through some reliable sources that some land mafias namely Sri Subir Bhattacharjee, Sri Mithu Ghosh of Village & Post Office: Kadamtala, P.S.: Matigara, District: Darjeeling, Pin: 734012 and Others including a lady had engaged some labourers to construct a temporary house in our plot grab with the intention of grabbing our land. I along with my companions immediately rushed to my plot and came to know that the incident is true. Then I informed the Officer-in-Charge, NJP Police Station and he immediately sent the force and stopped the work which was going on in our plot. He also asked both the parties to be present at 7.00 P.M. in the evening. In the evening I had placed the Restrain Order passed by the Hon'ble Judge, Civil Court, Jr. Divn., Jalpaiguri before him however it was not the current order. The O/C, NJP Police Station asked me to submit the current dated Restrain Order because whether the restrain order is still in force or not. I requested him to give me 1-2 days to place it and the very next day I had placed two Information slips of the court of the two civil cases in which the Ad-Interim Injunction and Restrain Order have been extended till 21<sup>st</sup> May, 2024. After that the O/C, NJP Police Station asked the opponents to place the High Court's Order as the opponents had already told the police authority that they had High Court's Work Order. Though they could not produce any such order. They were showing that particular order of Writ Petition filed by the opponents in which they suppressed the material facts and later on they could not establish the inaction on the part of Police Commissioner, Siliguri Police Commissionerate and Officer-in-Charge, NJP Police Station before the Hon'ble Judge at the time of hearing and hence the order went against them and instantly disposed off by the Hon'ble Judge of Circuit Bench of the Calcutta High Court at Jalpaiguri.

Sir, we have again came to know through some reliable sources that they can again try to grab our land forcefully today.

Sir, these land mafias are very much adamant in nature. They do not respect Hon'ble Judge's Order. In spite of being the Restrain Order in force, they have been trying to grab our land by any means. Sir, being a lady I can not run frequently here and there and I have a little girl child as well. Hence, I request you kindly to look into the matter and take stern action so that no untoward incident takes place and I can get relief from it and thus oblige.

The Xerox Copies of two Information slips of Ad-Interim Injunction and Restrain Orders are enclosed for your kind perusal.

Thanking you,

Copy forwarded for information to:

✓ The Officer-in-Charge, NJP Police Station at Siliguri and enclosed to the relevant authorities.

Yours faithfully

Saheda Begam

(SAHEDA BEGAM)

Mob. No.: 6294917154.

Received on 05.04.24 at 11-20  
Mr. Vidya Prasad Das No. 235 of 05-04-24 and forwarded NJP Police Station on 05-04-24 at 05-04-24  
506/24/01 and enclosed to the relevant authorities.  
20/04  
05.04.24  
Officer-in-Charge  
New Jalpaiguri Police Station  
Siliguri Metropolitan Police