



1. Dist. Daryeeling P.S. Siliguri Year 2024 FIR No. 345/24 Date 12.04.24
2. i) Act Sections ii) Act IPC Sections 447/427/188/506/
iii) Act Sections iv) Others Acts & Sections 34 IPC

3. (a) Occurrence of offence : Day Date From Date To on 09.04.24
Time Period Time From Time To at 15.00 hrs.

(b) Information received at P.S. Date 12.04.2024 Time 16.35 hrs.

(c) General Diary Reference : Entry No (s) 675 Time 16.35 hr.

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 700mtr West Beat No. 1

(b) Address J.L. Bajaj Road, Khalpara, Near Agrasen Bhawan, PS Siliguri, Dist. Daryeeling.

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

6. Complainant / Informant :

(a) Name Anil Roy

(b) Father's / Husband's Name Late Gulabchand Roy

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

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

(f) Occupation

(g) Address J.L. Bajaj Road, Khalpara, Near Agrasen Bhawan.

7. Details of known / suspected / unknown accused with full particulars PS- Siliguri, Dist- Daryeeling.

(Attach separate sheet, if necessary) :
① Avinash Agarwal, ② Rishabh Agarwal ③ Ritu Agarwal
~~Att of s/o & D/o~~ ④ s/o - Bhim Kumar Agarwal, ⑤ w/o -
Bhim Kumar Agarwal ⑥ Chameli Devi, w/o Lt. Mahabir Prasad
Agarwal, ⑦ Karuna Agarwal ⑧ Panita Agarwal both sister of
Bhim Kumar Agarwal.

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

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 Nil

12. FIR Contents (Attach separate sheets, if required) : The original written complaint 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 took up the investigation / directed SI Kanchan Das of KTR TOP, sig. ps, spc 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.

On original written complaint

14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court :

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

Dated: 12-04-2024

To,
The Officer-in-charge,
Khalpara T.O.P.,
Khalpara

Received on
12/04/24 at
16:55 hrs.

vide GDE No.
875 and

started Sg
PS
Case No.

345/24 dt. 12/04/24

U/s 447/429(188)
508/34 IPC

and endorsed
to SI Kanchan
Das of KHP
TOP under Sg
PS for its
investigation.

[Signature]
12/4/2024
Inspector Incharge
Siliguri P.S.
Siliguri Police Commission

[Signature]

SUBJ: WRITTEN INTIMATION

Respected Sir,

I, Anil Roy, s/o Late Gulabchand Roy, a permanent resident of J. L. Bajaj Road, Khalpara, Near Agrasen Bhawan, P.O. Siliguri, P.S. Siliguri, Dist. Darjeeling, would like to file a written intimation regarding the following facts.

That one Title Partition Suit being T.S. (P) No. 113/2023 filed by Bhim Kumar Agarwal, S/o Late Mahabir Prasad Agarwala along with an analogous case bearing no Misc Case No 18/2024 by Bhim Kumar Agarwal, Avinash Agarwal Son of Bhim Kumar Agarwal, Rishabh Agarwal Son of Bhim Kumar Agarwal, Ritu Agarwal Wife of Bhim Kumar Agarwal, Chameli Devi wife of Late Mahabir Prasad Agarwala all residents of J. L. Bajaj Road, Khalpara, Near Agrasen Bhawan P.O. Siliguri Bazaar & P.S Siliguri Dist. Darjeeling 734005 against me is pending before the Ld. Civil Judge (Senior Division), at Siliguri.

1. That the Ld. Civil Judge (Senior Division), at Siliguri passed an order dated 22.08.2023 directing "Both the parties to this suit are directed to maintain status quo with regard to the nature and character of the suit property as on this date till 20.09.2023". Thereafter, due to the non-appearance of the plaintiff the Ld. Court has directed the plaintiff to show-cause on the next date being

Received on 12-04-24 at 16:05 hrs vide Khalpara T.O.P GDE No-328 dt. 12-04-2024 and forwarded to g/c Siliguri P.S/SPC to start a specific case under proper section of law. SI Kanchan Das of Khalpara T.O.P will investigate this case.

[Signature]
12/04/2024

01.04.2024. And, the Ld. Court has not passed any order modifying the directions passed in the order dated 22.08.2023, that the plaintiff and defendant duly appeared before the Ld.Court on 1/04/2024 in the both the cases and thereafter the Ld.Court has fixed the next date for hearing but in the meantime on 9/04/2024 around 3:00Pm the Plaintiffs family namely Avinash Agarwal Son of Bhim Kumar Agarwal, Rishabh Agarwal Son of Bhim Kumar Agarwal, Ritu Agarwal Wife of Bhim Kumar Agarwal, Chameli Devi wife of Late Mahabir Prasad Agarwala and karuna Agarwal and Panita Agarwal Both sister of Bhim Kumar Agarwal duly went upstairs on the terrace door and broke the lock without the consideration of status quo that the miscreants are creating ruckus on a daily basis by infringing our rights and violating the orders of the Ld Court that on the previous occasion because of the unlawful and criminal activities I had duly filed an intimation letter to the Commisioner of Police at Siliguri Police Commissionerate being dated 16/02/2024 that pertaining to the said issue of G+3 storied building the said miscreants namely Bhim Kumar Agarwal S/o Mahabir Prasad Agarwal and Avinash Agarwal Son of Bhim Kumar Agarwal, Rishabh Agarwal Son of Bhim Kumar Agarwal, Ritu Agarwal Wife of Bhim Kumar Agarwal, Chameli Devi wife of Late Mahabir Prasad Agarwala have been creating difficulties in enjoying the peaceful ownership and possession of the suit premises by the present complainant

2. That ever since the death of M.P.Agarwal his son the present suit plaintiff in the above mentioned cases has been obstructed your complainant and his 3.5 meter private road + 3 FEET WIDE ROAD by forcing flat owners who own various flats in his building namely RR apartment, the building on the north which is duly constructed and later flats of the said building duly being sold to other people by M.P.Agarwal and the Plaintiff/miscreant, the flat

owners of the said building lodged a complain in SMC on 8/11/23 against the illegal Construction at the Ground Floor because of which the flat owners were forced to park their vehicles in area duly demarcated to the complainant and the Miscreant namely Bhim Kumar Agarwal so that the your complainant would face paramount of difficulties in using his garage space for taking out his four wheeler (SCREENSHOTS OF CONGESTION CAUSED BY FLAT OWNERS OF PLAINTIFF DULY ANNEXED), that for the purpose of said construction of road which is completely illegal and against the building plan of SMC the miscreants have not obtained any permission from any authorized office i.e SMC, ward councilor, the owner/Complainat namely Anil Roy

3. That by various means the present day miscreants have been trying to force your Complainat out from the suit property by making them monetary offers which amounts to 10% of the present-day market valuation of the suit property.

4. That on 14/08/23 your complainant had filed an application before the SMC against plaintiff for illegal use of his private road and his illegal construction over his building causing congestion which reflects the intention and law breaking nature of the miscreants and his father have always violated the sanctioned building plans of SMC.

5. That even after filling of the instant TITLE PARTITION SUIT with the prevailing order of Status Quo which was duly passed by the LD.Court being order dated 22.08.2023 directing "*Both the parties to this suit are directed to maintain status quo with regard to the nature and character of the suit property as on this date till 20.09.2023*" the miscreants kept forcing the Complainant and threatening them though, complain to mayor and SMC and other political people even after knowing the matter is sub judice, The

plaintiff brought police personal on two consecutive days i.e 12 and 13 of February 2024 after sun down (CCTV Footage) in attempt to scare them and force them to break the roof's lock, which will eventually lead to alteration and modification in the suit property.

6. That seemingly because of all the ill mechanism being used by the plaintiff the defendant filed a written intimation before the Siliguri Police Commissionerate bringing light over the pertaining suit pending before the Ld.Court which the plaintiff was concealing and misrepresenting the facts on 16/02/24, where he duly attached the order of Ld.Court.

7. That failing all attempts the plaintiff started constructing an illegal wall on the 3.5metre private road in an attempt to obstruct the vehicle therein the egress and ingress.

8. That it is pertinent to mention that the above named miscreants are violating all the laws to get their way in attempt to force your complaint out from the suit property

Bhim Kumar Agarwal S/o Mahabir Prasad Agarwal and Avinash Agarwal Son of Bhim Kumar Agarwal, Rishabh Agarwal Son of Bhim Kumar Agarwal, Ritu Agarwal Wife of Bhim Kumar Agarwal, Chameli Devi wife of Late Mahabir Prasad Agarwala and, all residents of J. L. Bajaj Road, Khalpara, Near Agrasen Bhawan P.O. Siliguri Bazaar & P.S Siliguri Dist. Darjeeling 734005

That after having filed a Civil case against me and having such orders passed the above-named persons with malafide intentions have been trying to incite me to take unlawful actions that the miscreants are using all the influential people to keep me out of my property.

SCHEDULE "A"

STANDING STRUCTURE duly erected over 4(Four) Kathas 6(Six) Chhataks together with G+3(three) storied building standing thereon, Ground Floor measuring 2086 Sq. ft (Floor-Cemented). First Floor, Second Floor and Third Floor each measuring 2201 Sq. ft (Floor-

Mosaic), recorded in Khatian No. 349, in part of Plot No. 3054, situated within Mouza SILIGURI, J. L. No. 110(88), Pargana Baikunthapur, Police Station Siliguri, B. L. & L. R. O. Office and District Sub-Registry Office Siliguri, in Ward No. IX OF Siliguri Municipal Corporation, District Darjeeling, in the State of west Bengal.

The above land is bounded and bounded as follows

- On The North : Land Of Mahavir Prasad Agarwal And 3.5-Meter-Wide Private Road;
- On The South : Jointly Owned Land Of Late G.C Roy And Late M.P Agarwal
- On the East : Boundary wall then Land of Rameshwar Lal Nakipuria
- On the West : Din Dayal Sharma

That this written intimation is to take cognizance as the matter is of grave importance.

- ① **Online Copy of order dt. 22.08.2023 passed by the Ld. Civil Judge (Senior Division), at Siliguri has been attached herewith.**
- ② Intimation letter to C.P. Siliguri dt. 16-02-2024.
- ③ Complain to SMC dt. 14/5/23, 8/11/23 & 18/3/24.

Yours faithfully,

Anil Roy

Anil Roy-

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