

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

1196



1. Dist. Daryeeling P.S. Siliguri Year 2024 FIR No. 346/24 Date 12.04.2024

2. i) Act _____ Sections _____ ii) Act IPC Sections 406/420/506/
iii) Act _____ Sections _____ iv) Others Acts & Sections 34 IPC

3. (a) Occurrence of offence Day _____ Date From 07.12.2022 Date To 04.03.2024
Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 12.04.2024 Time 16.55 hrs.
(c) General Diary Reference : Entry No (s) 677 Time 16.55 hrs.

4. Type of Information Written Written / Oral

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

(b) Address Spencer Plaza, 2nd floor, Above Vishal Mart,
PS- 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

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

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

(f) Occupation Branch Manager of Shriram Finance Ltd.

(g) Address Spencer Plaza, 2nd floor, Above Vishal Mart,
PS- Siliguri, Dist- Daryeeling.

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

(Attach separate sheet, if necessary) :
① Rafikul Hoque, s/o- Pakhi Md. of Payavita, Pradhan para
PO- Sikarpur, PS- Belakoba, ① Hasimul Islam, s/o- Jamiruddin
of- Shugi Bhita, PO- Fulbari Hat, PS- NTP, Dist- Jalpaiguri.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
① Rs. 27,59,772/-

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 PSI Chiranjit Saha of KHP TOP, Siliguri, SP 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 of the Officer-in-Charge, Police Station
Name : Binod Singh Rawat
Rank : No. SI of Police
Siliguri Police Commissioner



SHRIRAM

Finance

Received on 12/04/24 at 16.55 hrs vide
AOE No. 677 and started Stg PS

Date:

Case No. 346/24 dt. 12/04/24 v/s -
406/420/506/24 IEC and endorsed
to P.S.I. Chiranjit Saha of KHP Top
under Stg PS for its investigation

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

Sub: Complaint/FIR against accused persons:-

Insp. J. Saha
12/04/24

Complainant: -

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

Accused persons: -

1. Rafikul Hoque (Borrower)

S/O Pakhi Md
Presently residing at- Payavita,
Pradhanpara, P.O- Sikarpur
P.S -Belakoba Out Post
Near Pradhan Para Primary School,
West Bengal.735133
Mob-9064614022/7384708036

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- 8670397476/8918626642

Sir,

This is to bring into your kind knowledge that our borrowers and guarantor **Rafikul Hoque** and **Hasimul Islam**, who had taken financial assistance for the purchase of JCB 3DX of 2022 which **Registration Number: WB72AB7990, Engine No. H00353484, Chassis no HAR3DXU4C03073693** under a Loan cum hypothecation Agreement No. SILG12211240002, Dated 07/12/2022, 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.	WB72AB7990
Total agreement value	₹ 38,24,058/-
Total Borrower paid till date i.e 02/03/24	₹ 5,88,000/-
Amount outstanding as on 04/03/2024	₹ 27,59,772/-

The Borrowers and guarantor had an ample knowledge that they owe the Company the total agreement value of ₹ 38,24,058/- (Thirty Eight Lakhs Twenty Four Thousand Fifty Eight 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.

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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, Gundry, Chennai - 600 032 Tamil Nadu India | Tel: +91-44-485 24 666
Website : www.shriramfinance.in | Corporate Identity Number (CIN) - L65191TN1979PLC007874

Received on 12.04.2024 at 16:35 hrs. vide Khalpara Top
G.D.E. NO. 329 dt. 12.04.2024 and forwarded to P.S. Siliguri
P.S/SPC to start a specific case under proper section
of Law. P.S.I. Chiranjit Saha of Khalpara T.O.P. will investigate
this case of JCB 3DX of 2022



Total outstanding amount is Rs. 27,59,772-[Twenty Seven Lakhs Fifty Nine Thousand Seven Hundred Seventy 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- **WB72AB7990** 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,


Thanking You,

Documents Enclosed,

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

- 5) Vehicle Production
- 6) Vahan Copy
- 7) Loan Sanction

For Shriram Finance Limited
Yours faithfully for and On behalf of
Shriram Finance Ltd.


Authorized Signatory
(Dibyendu Dutta)
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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