

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C. 173 of BNSS)



P.S. Mangala Year 2024 FIR No. 453/24 Date 23.7.2024
1353

Sections _____ i) Act _____ Sections _____

Sections 454/380 iv) Others Acts & Sections _____

3. (a) Occurrence of offence : Day _____ Date From 24.6.24 Date To _____

Time Period _____ Time From 21:45 hrs Time To _____

(b) Information received at P.S. Date On 23.7.2024 Time 18:05 hrs

(c) General Diary Reference : Entry No (s) 1852 Time 18:05 hrs

4. Type of Information Court Complaint u/s 156(3) CrPc, M.P. Case No - 50 of 2024

5. Place of Occurrence : (a) Direction and Distance from P.S. Approx 2 1/2 KM North West from P.S.

(b) Address Flat No. 204, Woodland Garden, P.S. Mangala, Dist. Darjeeling

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

6. Complainant / Informant

(a) Name Sumit Saha

(b) Father's / Husband's Name S/O Santosh Kumar Saha

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

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

(f) Occupation _____

(g) Address Flat No. 204, Woodland Garden, P.S. Mangala, Dist. Darjeeling

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

(Attach separate sheet, if necessary) : Unknown miscreant (s)

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : ① One Golden Mangal Sutra

② Two Golden Chain ③ One Golden Bangle (Chur) ④ One

Golden Pendant ⑤ One pair Ear Ring ⑥ W/A of his wife & daughter,

10. Total value of properties stolen / involved ⑦ Rs. 2,50,000/- Cash ⑧ Valuable documents ⑨ Passport

11. Inquest Report / U.D. Case No. If any _____

12. FIR Contents (Attach separate sheets, if required) : 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 _____

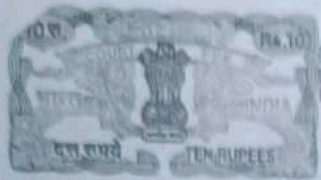
Investigation / refused investigation / transferred to P.S. _____

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

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge _____
Name ARINDAM BHATTACHARJEE
Rank : No. _____
Inspector Mangala R/SK



Sumit Saha
Signature of the
Complainant/
Petitioner

Filed By
[Signature]
Advocate
20.07.2024

IN THE COURT OF THE LD. ADDL. CHIEF JUDICIAL MAGISTRATE,

AT SILIGURI

Ref: Misc. Petition No. 150 of 2024.

IN THE MATTER OF:

An application under Sub -Section 3 of Section 156 of the Code of Criminal Procedure, 1973.

AND

IN THE MATTER OF:

Inactions on the part of the Inspector - in -Charge of Matigara Police Station under Siliguri Metropolitan Police and further on the part of the Commissioner of Police of Siliguri Metropolitan Police to lodge First Information Report and initiate/ commence investigation after getting /receiving information regarding commission of grave and serious criminal offences, cognizable in nature, under Sections 454 and 380 of the Indian Penal Code.

AND

IN THE MATTER OF:

Sri Sumit Saha, Son of Santosh Kumar Saha, resident of Flat No. 204, Wood Land Garden, under Police Station Matigara, Darjeeling, PIN -734013.

...Complainant/ Petitioner

-Versus-

Unknown

...Accused Person / Opposite Party



*Received on 23.7.24 at 18:05 hrs
vide GDE No-1852 and started
Matigara RS Case No-453/24 Dtd
23.7.24 u/s. 454/380 IPC. ASI
Pema Dohjee Sherpa will
investigate case.*

[Signature]
23.7.24
Inspector-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

*Solemnly Affirmed & Declares
before me an identification*

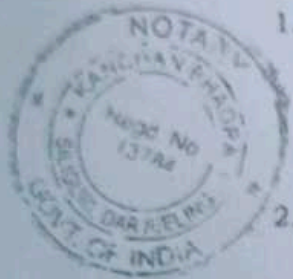
*Kanchan Bhattacharya,
Notary
Siliguri*

Shanide
Signature of the
Complainant/
Petitioner

Filed By
[Signature]
Advocate
20.07.2024

The humble petition on behalf of the complainant/ petitioner above named.

MOST RESPECTFULLY SHEWETH:



1. That, the complainant/petitioner is a law abiding citizen of India having his abode as mentioned in the cause title hereinabove and the cause of action which arose is well within the local limits of jurisdiction of this Ld. Court.
2. That, on 21.01.2024, a complaint has been lodged by the *defacto* - complainant. Upon receiving the complaint the concerned police station initiated a case under Section 498A/302/34 of Indian Penal Code and on the same date the complainant/petitioner arrested in connection with Matigara Police Station Case No. 45 of 2024, dated 21.01.2024.
3. That, after investigation of the case the investigating officer submitted the charge sheet along with the Post Mortem Report.
4. That, considering the Post Mortem Report along with the Forensic Report the Hon'ble Calcutta High Court Circuit Bench at Jalpaiguri released the complainant/petitioner on bail.
5. That, after being enlarged on bail when the complainant/petitioner went to enter into his flat, he discovered that the door was locked by different padlock. Subsequently, he filed a petition before the Ld. Additional Chief Judicial Magistrate, at Siliguri regarding such issues and finally the Ld. Court was pleased to pass an order dated 24.06.2024 directing the I.O. that "the I.O. is directed to look into the matter and ensure that only for such allegations, the accused is not deprived of his right to enjoy his property".
6. That, subsequently, on the same day at about 09.45 p.m. when the complainant/petitioner entered into his flat, he found that several items were stolen from his almirah which are as follows :- 1) One Golden Mangal Sutra 2) Two Golden Chain 3) One Golden Bangle (Chur) 4) One Golden Pendent 5) One Pair of Ear Ring 6) Wearing apparels of my wife and daughter 7) Rs. 2, 50, 000/- Cash 8) Admit Cards, Results, Pass Certificate of my Secondary, Higher Secondary and Graduation 9) Passport

Solemnly Affirmed & Declared
before me on identification
[Signature]
Kanchi Venkateswara
Notary
Siliguri

Signature of the Complainant/Petitioner

Filed By
Signature of Advocate
Advocate
20.07.2024



7. That, the complainant/petitioner went to Matigara Police Station under Siliguri Metropolitan Police to lodge this instant complaint but the Officer on duty/ the concerned authority present there at refused to accept any written complaint from the complainant, as such, left with no other alternative, thereafter the complainant was constrained to lodge his afore stated grievances before the Commissioner of Police of Siliguri Metropolitan Police by a written complaint dated 14.07.2024 but still neither the law has been set in motion nor there has been any positive response from the Police Authorities.
8. That, the complainant has approached to lodge his grievances before the Inspector -in -Charge of Matigara Police Station under Siliguri Metropolitan Police and also before the Commissioner of Police of Siliguri Metropolitan Police but was refused from there and nobody paid any heed to her cries.
9. That, the accused persons have committed offences punishable under Sections 454 and 380 of the Indian Penal Code.
10. That, it is submitted, the offences committed by the miscreant accused persons are much grave and serious in nature and the cause of justice will be frustrated if there be any delay in commencement of proper investigation of the same.
11. That, dissatisfied with the conduct with the investigating agency and finding no other alternative to save the delay capable of frustrating whole cause of justice, your petitioner begs to move this Ld. Court.
12. That this application is made *bona -fide* and for the end of justice.

In the premises, it is humbly prayed that Your Honour would be graciously pleased to direct the Inspector -in -Charge of Matigara Police Station under Siliguri Metropolitan Police to take cognizance of the offences enumerated herein above and to set criminal law in motion treating this petition as First Information

Solemnly Affirmed & Declared before me on identification.
Kanchan Bhowmik
- Notary
Siliguri

Sumit Saha
Signature of the
Complainant/
Petitioner

Filed By
[Signature]
Advocate
20.07.2024

Report and start specific case under relevant sections of the law of the land and pass such other/others order/ orders as your Honour may deem fit and proper.

And for this act of kindness your petitioner, as duty bound shall ever pray.



AFFIDAVIT

I, Sumit Saha, Son of Santosh Kumar Saha, aged about 39 years, Service by occupation, Hindu by faith, resident of resident of Flat No. 204, Wood Land Garden, under Police Station Matigara, Darjeeling, PIN -734013, do hereby solemnly affirm and state as follows:



1. That, I am the petitioner above named and I know the facts and circumstances of the case.
2. That, the statements made in paragraphs 1 to 9 hereinabove in the petition are true to my knowledge and the rest are my humble submissions and prayers before this Ld. Court.

I sign this affidavit on this the 20th day of July, 2024 at Siliguri.

Sworn before me & identified before me as identified to be
Kanchan Phadga
Notary
Siliguri

Deponent
Identified by me
[Signature]
Advocate
F-2028/1447/2021

AFFIDAVIT
Solemnly Affirmed before me
On
Identified by
This do 20