

FIRST INFORMATION REPORT

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

1388



1. Dist. Darjeeling R.S. Matigara Year 2024 FIR No. 488/24 Date 14.8.2024  
i) Act. 336(2)(3) ii) Act. 340(2)/3(5) Sections

3. (a) Occurrence of offence : Day ..... Date From 11.11.2022 Date To .....

Time Period ..... Time From ..... Time To .....

(b) Information received at P.S. Date On 14.8.2024 Time 19:25 hrs  
(c) General Diary Reference : Entry No (s) 801 Time 19:25 hrs

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. About 02 km North East from P.S.

(b) Address Dadi Dham E06/01, Uttarakan Township, P.S. Matigara, Dist. Darjeeling

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

6. Complainant / Informant :

(a) Name Ms. Ruby Mitruka

(b) Father's / Husband's Name D/O (Bustub Mitruka

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

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

(f) Occupation .....

(g) Address of Dadi Dham, E06/01, Uttarakan Township, Matigara,

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

(Attach separate sheet, if necessary) : 1 Advocate Pasupati Shah (Notary Public) 2 Advocate Ajay K. Mitruka 3 Kajal Sarkar 4 Subanta Bose 5 Basujit Ray

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) : Original written complt which is treated as FIR is reproduced overleaf.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., Registered the case in charge up the investigation / directed SI Pijush Kanti Sen Sarkar Matigara Police Station to take up investigation / refused investigation / transferred to P.S. .... Siliguri Police Commissionerate 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.

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: ARINDAM CHAKRABARTY  
Rank: No. Inspector in Charge  
Matigara P.S.  
14.8.24

Received on 14.8.24  
at 19:25 hrs vide G.D.F No  
801 and stated Matigara  
PS Case No 488/24 Dtd  
14.8.24 u/s 336(2)(3)  
340(2)/3(5) of BNS. By Pijush Kanti  
Sen Saikat will investigate the case

From:  
Ms. Ruby Mitruka,  
Shri Sushil Mitruka.  
R/o: Dadi Dham, E06/ 01, Uttarayan Township,  
Matigara - 734010.  
E: jaidadeke@gmail.com  
M: +91-9930382663 & 9434065730

Date: 13 / 08 / 2024

To,

Inspector-In-Charge  
Matigara Police Station  
Siliguri Police Commissionerate  
Inspector-In-Charge, Matigara, Police Station

Subject: Prayer for registering the compliant and FIR.

Respected sir,

Myself, Ruby Mitruka, having aadhar no. 3985 1295 9799, would like to bring the following contention to your kind record:

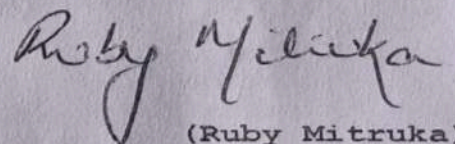
1. There is one Terms of Settlement (ToS) formulated on November 9, 2022, and duly notarised on November 11, 2022, that has been made an integral part of the arbitral award dated November 24, 2022, by the Ld. Arbitrator.
2. That, sir, the parties to Part 1 of the referred ToS are Shri Sushil Mitruka, Ms. Anita Mitruka, and Ms. Rubby Mitruka.
3. That sir, I have been staying and working in Singapore for the past several years, and I was neither in India on the date of the ToS formulated, i.e., November 9, 2022, nor on the date when it was duly notarised on November 11, 2022, and also nor on the date of the arbitral award dated November 24, 2022. I was in India from November 17, 2022 to November 22, 2022. That too, the visit was from Singapore to Kolkata and vice versa. There was no visit to Siliguri on any referred date. (Annexure A: Passport Travel History)
4. That sir, In this regard, I would like to bring to your kind notice that three different 'ToS' are in circulation. One that bears the signatures of all the parties except the undersigned. The same is duly notarised by the Notary Public, Adv. Shri Pashupati Shah, and witnessed by Adv. Shri Ajay Kumar Mitruka. (Annexure B)
5. That, sir, the other 'ToS' that is in circulation has the signatures of all parties, including the undersigned, but there is overwriting on Page no. 11 and the creation of an additional page at 11-A. Both the overwriting and the additional page creation bear no signature or seal of the Notary Public. Further on page 11, the overwriting portion is through the cut and paste of an additional page, which can be identified as the notary signature and seal got covered behind the additional short pasted page. (Annexure C)

6. That, sir, the third 'ToS' that is in circulation has the signatures of all parties, including the undersigned, but there is overwriting on Page no. 11 and the creation of an additional page at 11-A. Both the overwriting and the additional page creation bear no signature or seal of the Notary Public. Further on page 11, the overwriting portion is written through free hand writing on the same page of the ToS. The handwriting is also different from the ToS annexed at 'C'. (Annexure D)
7. Sir, the Ld. Arbitrator has passed the award, stating that ToS is running into 13 pages and duly notarised, but with the creation of this additional page, it has become 14 pages. In contravention of the number of pages declared by the Ld. Arbitrator.
8. That sir, It is surprising how the Notary Public Adv. Shri Pashupati Shah and the Witness 'Ajay Kumar Mitruka' have notarised and witnessed the documents when there are no signatures of all the parties as attached at 'Annexure -B' and the undersigned was also not present in India on the referred date.
9. Sir, there is forgery with the arbitral award, and now the Ministry of Law and Justice and the Ministry of Corporate Affairs, Govt. of India have ordered an investigation into such practices by the notary public, witnesses, and parties involved in illegally affixing and witnessing the document and forgery of the arbitral award.

I, therefore, request your good self to register our complaint and FIR for investigation into the matter.

I shall be grateful for your kind consideration.

With Kind Regards,



(Ruby Mitruka)

Attached:

9930382662

1. Travel history via passport copy.
2. Terms of Settlement that are duly notarised and witnessed but bear no signature of the party, Ms. Ruby Mitruka.
3. Terms of Settlement that are duly notarised and witnessed and bear the signatures of all parties, but pages 11 and 11A are induced through cut and paste.
4. Terms of Settlement that are duly notarised and witnessed and bear the signatures of all parties, but pages 11 and 11A are induced through free handwriting.