



FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1. District: Bhaktinagar Year: 2024 FIR No.: 864/24 Date: 21/09/24
2. P.S.: 2023 Sections: 329(B)/223 Act: 324(2)/351(2)/13(C)

3. (a) Occurrence of offence: Day: Not Mentioned Date From: Date To:
Time Period: Time From: Time To:

(b) Information received at P.S. Date: 21/09/24 Time: 20:20 hrs
(c) General Diary Reference: Entry No (s): 1275 Time: 20:20 hrs

4. Type of Information: Written (Typed) Written / Oral: Written Oral

5. Place of Occurrence: (a) Direction and Distance from P.S.: Beat No.:
(b) Address: Near Mahalaxmi Weigh Bridge, Eastern Bypass Road, PO Chogomoli, PS Bhaktinagar, Dist. Jalpaiguri

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

6. Complainant / Informant:
(a) Name: Aimodini Sankar @ Buboi
(b) Father's / Husband's Name: U. Swadesh Ranjan Sankar
(c) Date / Year of Birth: (d) Nationality: Indian
(e) Passport No.: Date of Issue: Place of Issue:

(f) Occupation: Shanti Max, Hakimpura, Siliguri, Dist. Darjeeling.
(g) Address: w/no-15 of SME

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary):
1. Rajesh Agansal of Sonami Mill compound, Siliguri
2. Suresh Kumar Agansal S/O U. Kundammall Agansal of Indivilla Baram, New Kola Niketan, Seth Shukul Market, PO & PS Siliguri, Dist. Darjeeling and others.

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:
12. FIR Contents (Attach separate sheets, if required): The original typed complaint which is treated as FIR is attached 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 PSZ Tapam Kumar Roy to take up investigation / refused investigation / transferred to P.S. Bhaktinagar PS, Bhaktinagar PS 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.

 is on the complaint
Signature / Thumb impression of the Complainant / Informant

Signature of the Officer in Charge Station:
Name:
Rank: No. 7C Bhaktinagar PS, Siliguri, Dist. Darjeeling
SPC

14. Date & Time of despatch to the court:

19/9/2024

Date: 19/09/2024,

Himadri Sarkar

To
THE OFFICER-IN-CHARGE (O/C),
ASHIGHAR POLICE OUT-POST,
UNDER BHAKTINAGAR P.S.,
ASHIGHAR, GHOGOMALI, SILIGURI
DIST. JALPAIGURI- 734006.

Received on 21/09/24 at
12:55 hrs, vide BNS of
B.D.No. 677 & 678
to the effect that
a case should be
LD.
OFFICER IN CHARGE OF
ASHIGHAR OUT POST
Under Bhaktinagar P.S.
Siliguri Police Commissionerate

SUB : F.I.R. FOR BREAKING & CAPTURING OF OUR SCHEDULED PROPERTIES BY VESTED PERSONS

Dear Sir,

This is to INFORM you that. I, Shree Himadri Sarkar, @ Bubai, s/o.Lt.Swadesh Ranjan Sarkar, of Shanti More, Hakimpara, Siliguri, Dist Darjeeling-734001, under Ward no. 15 of S.M.C. Siliguri, Darjeeling, as an authorised Caretaker (the copy of the letter of AUTHORIZATION is enclosed herewith) of the Scheduled landed property of (1). Shree Dev Vijay Kumar Agarwal, s/o. Shree Vijay Kumar Ram Kishan Agarwal and (2). Smt.Sunita Agarwal, w/o. Shree Dev Vijay Kumar Agarwal, both of Shreekanta Apartment, Ashrampara,P.O. & P.S. Siliguri, Dist. Darjeeling- 734001. They are the absolute Registered owners of the below Scheduled landed properties which are sub-judiced BEFORE the Ld. Civil Judge (Junior Division) at Jalpaiguri vide T.S.No.278/2023 (the xeroxed Copies of the Certified copies of the Ld.Court's Order of Restrain are enclosed herewith).

Just recently they came to know that several persons namely, Mr. Rajesh Agarwal (Mobile No.98323 25565), s/o. Not known, of Somani Mill Compound, Siliguri, Mr. Suresh Kumar Agarwal (Mobile No.94340 44693), s/o. Late Kundanmall Agarwal, of Indiwala Bhavan, New Kala Niketan, Seth Shreelal Market, P.O. & P.S. Siliguri, Dist Darjeeling- 734001 and along with few antisocial elements have forcefully dismantled/ broken our boundary wall of the adjacent land located at near Mahalaxmi Weigh Bridge, Eastern Bypass Road, P.O. Ghogomali, P.S. Bhaktinagar(within Ashighar Police Outpost), Dist Jalpaiguri- 734006, and have acquired and taken possession despite the Ld. Court's Restrain Order.

They are now demanding huge ransom to again give back the possession and repair the boundary wall.

The said scheduled landed properties' owners are also residing at Surat, Gujarat for their business matters.

Therefore, I, on behalf of the said owners, humbly request you to look into the matter seriously and do the needful against those antisocial and disturbing elements and start proceedings against those as per law.

Thanking you, -

Received on 21/09/24 at 20:20 hrs vide G.O. No-1278 and started Bhaktinagar P.S. on No-864/24 B.D. 21/09/24 vide 324(5)/223/324 (2)/351(2)/3(5) BNS, 2023 and enclosed to Yours Faithfully,
Asst. Dy. Comm. for its investigation.

cc. Copy of Authorization letter
(2) Court order T.S. 278/2023.


21.09.24

Himadri Sarkar
(Himadri Sarkar),

Inspector-in-Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate

Mob.No.94348 60877.



IN THE COURT OF CIVIL JUDGE JUNIOR
DIVISION COURT, JALPAIGURI

38.

Title Suit or Case No. 278 of 2023

Order No. 01

Date. 06/05/23

Plaint filed by the plaintiff in support by an affidavit, V.nama, reg address, duplicate copy of plaint, xerox copy of documents.

The valuation of the instant suit as given in the plaint is provisionally accepted.

Seen, registered the same as Title Suit.

Process fee has not filed. Plaintiff is directed to file process fee and requisits at once.

To for S/R.

Plaint filed by the plaintiff in support by an affidavit.

Plaintiff also files a petition U/O 39 Rule 1 and 2 read with Sec. 151 of C.P.C in support by an affidavit praying for temporary injunction restraining into or disturbing the peaceful possession over the land.

Process fee has not filed. Plaintiff is directed to file process fee and requisits at once.

Handwritten notes: 06/05/23

FILE NO. X-395 CIVIL CRIMINAL

DATE 31/5/23

Bijoy

Head Comparing Clerk
Copying Department
Jalpaiguri

01/6/23

Later,
Dated 06.05.2023

Learned Advocate for the plaintiffs moves the application for temporary injunction along with a prayer for ad-interim injunction to the same effect against the defendants.

Issue notice upon the defendants/opposite parties asking them to show cause within 10 days from the date of receipt of the same as to why the temporary injunction shall not be granted against them as sought for by the plaintiffs/petitioners.

No caveat as reported by the Sheristadar. Perused the plaint, application for temporary injunction, documents, affidavit et cetera.

Learned Advocate for the plaintiffs at the time of hearing files original documents. Copy of same, which have already annexed with plaint.

Having considered the submission of the learned Lawyer for the plaintiffs and also having considered the materials on record and balance of convenience and/or inconvenience as well as the urgency it seems to me that the plaintiffs have a good prima facie case to go into trial, and accordingly, I think it is a fit case for restraining 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.

Hence, it is

ORDERED

that the prayer for an order of ad-interim injunction is allowed but in part;

that the defendants and their men and agents are hereby restrained from causing interference in the peaceful acts of possession of the plaintiffs and forbidding them from encroaching any portion of the suit property forcibly till 06.06.2023.

The plaintiffs to comply with the provisions of Order 39 Rule 3(a) & (b) of the CPC with promptitude. Plaintiffs to file requisites, at once.

To 06.06.2023 for

- i) SR, AD and PR.
- ii) Filing WO, if any.
- iii) Hearing of the application for injunction

Dictated & corrected by me,

C.J.Jr.Divn.
JPG

Civil Judge, Junior Division,
Jalpaiguri

31-395 CIVIL CRIMINAL
DATE 31/5/23
Binjari
Head Comparing Clerk
Copying Department
Jalpaiguri

TRUE COPY
CAG Head Clerk Assistant
District Judge's Court, Jalpaiguri
07/6/23