



1. Dist. SPC P.S. Bhaktinagar Year 2024 FIR No. 1037/24 Date 07/11/24  
 2. i) Act BNS, 2023 Sections 336(2)/336(3)/338/340(2)/61(2) Sections -  
 Sections - iv) Others Acts & Sections -

3. (a) Occurrence of offence : Day - Date From 06/08/24 Date To -  
 Time Period - Time From - Time To -

(b) Information received at P.S. Date 07/11/24 Time 18:30 hrs  
 (c) General Diary Reference : Entry No (s) 363 Time 18:30 hrs

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

5. Place of Occurrence : (a) Direction and Distance from P.S. - Beat No. -

(b) Address Suman Warehouse, Serowu Road, 2nd Mile, Siliguri - 734001

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

6. Complainant / Informant :

(a) Name Suresh Agarnwal

(b) Father's / Husband's Name U. Subhadra Prasad Agarnwal

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

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

(f) Occupation -

(g) Address Suman Warehouse, Serowu Road, 2nd Mile PS Bhaktinagar, Dist. Jalpaiguri

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

(Attach separate sheet, if necessary) :  
1. Sandhin Agarnwal @ Shyamal Sankar - Both Directors of Kamala Tea Company, Limited. having its registered office at 240B AJC Bose Road, Wilhate 700020.

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 SZ Subhadra Agarnwal 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.

14. Signature / Thumb impression of the Complainant / Informant is on the complaint  
 DR No. 6929 Date 8/11/24  
 Bhaktinagar Police Station SPC

15. Date & Time of despatch to the court : -

Inspector in Charge  
 Signature of the Officer in Charge, Police Station  
 Name Subhadra Agarnwal  
 Rank : No. IC Bhaktinagar PS, SPC

November 6, 2024

From:

Sri Suresh Agarwal, son of late Sukdeo Prasad Agarwal,  
Residing at Suman Warehouse, Sevoke Road, 2<sup>nd</sup> Mile, Police  
Station – Bhaktinagar, Siliguri, District – Jalpaiguri, PIN –  
734001.

To,

The Inspector-in-Charge,  
Bhaktinagar Police Station,  
Sevoke Road, Siliguri, PIN –  
734001.

Sir,

I, the undersigned, am constrained to lodge this complaint disclosing cognizable offences in view of the facts, cropped up, as follows:

1. Kamala Tea Company Limited having a tea estate namely Kamala Tea Garden at Ghoshpukur, Police Station – Phansidewa (Ghoshpukur Outpost), District – Darjeeling, is a public limited company, having its registered office at 240B A.J.C. Bose Road, Kolkata – 700020 and branch office at Suman Warehouse, Sevoke Road, 2<sup>nd</sup> Mile, Siliguri 734001
2. I have 2050 shares in the name of Suresh Kumar Agarwal and 391025 in the name of Suresh Kumar Agarwal HUF. I am one of the Directors of Kamala Tea Company Limited. Be mentioned herein that Sajjan Kumar Agarwal, Sandhir Agarwala and Shyamal Sarkar are also the Directors of Kamala Tea Company Limited.
3. I have been surprised and shocked while I have found after downloading the statutory forms filed by the Kamala Tea Company Limited with the Ministry of Corporate Affairs that the aforesaid shares held by me and my HUF were transferred on 28.03.2022 in a clandestine manner. Although in recent past, no notice was served upon me for convening the meetings of the Board of Directors of Kamala Tea Company Limited nor I was invited to attend such Board meetings.
4. I have neither signed any statutory documents as prescribed for transfer of the aforesaid shares nor I have executed any instrument / deed for transfer of those shares. Such act of transfer of shares has been done fraudulently and by forging my signatures for wrongful gain.
5. I, immediately after coming to know of this transfer while checking the forms filed by the Company with the Registrar of Companies, lodged the complaint on 08.07.2024 and on the basis thereof, Bhaktinagar Police Station Case No. 603 of 2024 dated 08.07.2024 had been registered under section 465 and 468 of Indian Penal Code. Sajjan Kumar Agarwal and Sandhir Agarwal, the directors of Kamala Tea Company Limited filed the criminal revisional application being C.R.R No. 334 of 2024 before Hon'ble High Court, Calcutta, Circuit Bench at Jalpaiguri which is pending.

6. In such juncture, I have been asked by the Officer-in-Charge, Ghoshpukur Outpost over telephone on 05.11.2024 at 1.24 PM to produce the documents as a proof of ownership of the vehicle, Verna being registration no. WB 74A D 8773 and a vehicle TATA Safari being registration no. WB 02Z 3299 which are in the name of Kamala Tea Company Limited, the registered owner. Pertinently both the vehicles are in my possession and for my use for a long period as the Director of Kamala Tea Company Limited.
7. Recently I have downloaded at Siliguri from the website of Ministry of Corporate Affairs a Form No. Dir-12 filed by and on behalf of the said Kamala Tea Company Limited and having Digitally signed by one Shri Shyamal Sarkar, one of the Directors of the said Company informing the cessation of my directorship in the said Company with effect from 21<sup>st</sup> September 2024 and the said Form Dir-12 also enclosed my resignation letter dated 06.08.2024 as the Director of the company. Copies of prescribed form as filed and the letter of resignation dated 06.08.2024 enclosed with the said Form are enclosed herewith.
8. I strongly contend that my signature in the said letter dated 06.08.2024 is forged. I have never tendered such resignation letter as the Director of Kamala Tea Company Limited. While I lodged the complaint on 08.07.2024 regarding fraudulent transfer of my share of the said company, naturally it is unbelievable that I would tender my resignation letter as the Director of the said company on 06.08.2024.
9. I have a strong believe that Sandhir Agarwal, one of the Directors of Kamala Tea Company Limited has hatched conspiracy in collusion with Shyamal Sarkar to outs me as the shareholder as well as the Director of Kamala Tea Company Limited. It is a case of forgery since the accused made such false document with my forged signature. It is also a case of fraud as defined in Section 447 of the Companies Act, 2013. Significantly Kamala Tea Company Limited is a public limited company and in that case, such transfer of share and resignation of Directorship is subject to all statutory limitation.

I, therefore, request you to investigate at once.

With thanks,



Yours sincerely,

9434045231

Copy forwarded to:

1. The Police Commissioner,  
Siliguri Police Commissionerate,  
Matigara, Siliguri-734010.
2. Registrar of Companies,

Received on 07/11/24 at 18:30 hrs vide  
GOC NO- 363 and started Bhaktinagar  
PS case NO- 1037/24 Dtd- 07/11/24 vs  
336(2)/336(3)/338/340(2)/610 SMS, 2023  
and endorsed to SI Seikhon Adhikary  
for its investigation.

  
07.11.24  
Inspector-In-Charge  
Bhaktinagar Police Station  
Siliguri Police Commissionerate

2<sup>nd</sup> Floor, Nizam Palace,  
MSO Building, Kolkata, West  
Bengal – 700020.

3. Director of SEBI,  
SEBI Bhavan BKC,  
Plot No. C4-A, G Block,  
Bandra Kurla Complex,  
Bandra (East),  
Mumbai- 400051.