

FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.) 773 of ENSS

1069



P.S. Matigara Year 2024 FIR No 708/24 Date 29.11.2024

Sections 316(2)/318(3)/318(4) Sections (iv) Others Acts & Sections July 2024

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

Time Period Time From Time To

(b) Information received at P.S. Date On 29.11.2024 Time 17:05 hrs

(c) General Diary Reference : Entry No (s) 1618 Time 17.05 hrs

4. Type of Information Written

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No. Mouza - Paluham, JL NO - 77, P.S. Matigara, Dist Darjeeling

(b) Address

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant : Satish Gupta

(a) Name s/o Jay Narayan Gupta

(b) Father's / Husband's Name

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

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

(f) Occupation Ujane, Shib Nagar, P.S. Matigara, Dist. Darjeeling

(g) Address

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

(Attach separate sheet, if necessary) : 1) Matti Devi w/o Mahesh Choudhury 2) Munna Kumar Choudhury, Both of Champasari More, P.S. Pradhannagar Dist. Darjeeling

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)

Landed property, measuring 6 Katha and 4 Chatak, R.S. Plot No B, LR Plot No-47, Khalian 4947, Mouza Paluham JL-77, P.S. Matigara. Rs - 30,00,000/-

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 complaint 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 in the case and took up the investigation / directed

investigation / refused investigation / transferred to P.S. 29.11.24 Inspector-In-Charge Matigara Police Station

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

29.11.24  
Inspector-In-Charge  
Matigara Police Station  
Name: ARIMDAS BANERJEE  
Sikuri Police Commissionerate  
Rank: No. Matigara B/SPC

We were assured by the seller at the time of framing the agreement for sale that no previous transfer, lease or contract for sale by her on the said piece of land towards any other party exists in its entirety and that we will be handed over the said land free of any underlying hindrance and liability.

We had paid the advance sum of Rs.30,00,000/- (Rupees Thirty lakhs) on the day of the execution of the agreement for sale and the balance amount via three cheques amounting to Rs. 10,00,000/-, Rs.8,50,000/- and Rs.3,50,000/- all dated July 04, 2024 to and in favour of Tata Capital Housing Finance Limited so that the property may be released soon and the said land is transferred to us by Smt. Malti Devi unencumbered..

As I followed upon the pending procedures on part of the seller to transfer the title of the land in its entirety our name and the names of both of my father and brother, I was surprised and shocked to know that the above mentioned seller had again made an agreement for sale of the same piece of land for which I had already paid the full amount towards the seller and also towards Tata Capital Housing Finance Limited with another person namely Sri Niljit Singh, son of late Ajit Kumar Singh who is a resident of Tumba Jote, Near Indane Gas Godown, PO & PS- Matigara, District- Darjeeling, PIN- 734010, West Bengal in the month of August, 2024 i.e. 1 (one) month after the first agreement for sale with us.

Thus this shows the clear intention of the seller for wrongful gain by illegally entering into agreement for sale for the same piece of land which has already been agreed to be sold to me for which I have paid in full towards the seller and the Financial organization which was the mortgagee of the same.

The aforesaid culprits namely Malti Devi and her son Sri Munna Kumar Chaudhary has induced the delivery of the piece of land to us with deceitful intentions and our trust laid upon Smt. Malti Devi and her son Sri Munna Kumar Chaudhary has been breached with mala fide intentions with the sole intention of causing wrongful loss to us and gaining wrongfully.

Smt. Malti Devi and her son Sri Munna Kumar Chaudhary have not only breached our trust but has also misused the power of ownership that she was enjoying over the piece and parcel of land before entering into agreement for sale with us and used the same for

Contd to page 3

inducing us to handover our hard earned money and by entering into a subsequent agreement with a third party regarding the same land, the culprits Smt Malti Devi and her son Sri Munna Kumar Chaudhary have deliberately cheated us.

Susequently I have sent one legal notice through my Lawyer Mr.Susanta Neogi where narrated all the above content on 14.11.24 and also requested her to register the land within 7 days after receiving the notice in our favour which she received on 18.11.24 she was keep mum.Meanwhile I have received information from on line enquiry west Bengal land registration site she has registered the aforesaid land in favour of namely Sri Niljit Singh, son of late Ajit Kumar Singh who is a resident of Tumba Jote, Near Indane Gas Godown, PO & PS- Matigara, District- Darjeeling, PIN- 734010 and other on 22.11.24 and deed was completed on 25.11.2024,vide sale deed no.8586/2024,volume,page 17603 -176049,register at A.D.S.R SLGI of Bagdogra.

This cheating and criminal breach of trust was not only committed by Smt. Malti Devi, but also her son i.e. Mr.Munna Kumar Chaudhary who played an active role in the process of collecting the cheques and cash payments from us before entering into the illegal sale in favour of above named Sri Niljit Singh and other.

Since the contract has been violated by the seller the same attracts criminal offences according to our newly enacted criminal laws.

Thus looking into the gravity of the offence committed by Smt. Malti Devi and Sri Munna Kumar Chaudhary i.e., the seller and her son hereby pray to your good office to take necessary steps against the said culprits.

Smt. Malti Devi and her son Sri Munna Kumar Chaudhary mis-utilising the position of Smt. Malti Devi as owner of the property committed cheating and criminal breach of trust upon us and moreover it is apparent from the conduct and activities of the said culprits that with a sole intention to deceive and cheat us the culprits have done such illegal activities for their wrongful gain and profit.

Hence, I humbly request you to investigate in the matter, book the culprits namely Smt. Malti Devi and her son Sri Munna Kumar Chaudhary under the relevant provisions of criminal law and take necessary action against the aforesaid culprit.

Thanking you,

Enclosure: i) Xerox copy of original agreement dt.4.07.24

ii) Xerox copy of subsequent agreement dt.6.08.24

iii) Xerox copy of online enquiry from west Bengal land registration

iv) Legal Notice dt. 14.11.24

Your faithfully

Satish Gupta  
(Satish Kumar Gupta)

9749571126