

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



SPC
IPC

P.S. Bhaktinagar Year 2024 FIR No. 1125/24 Date 01/12/24
Sections 406/420/120 B Act - Sections -

1511

Sections - (iv) Others Acts & Sections -

3. (a) Occurrence of Offence : Day In the Date From Year 2021 Date To -

Time Period - Time From - Time To -

(b) Information received at P.S. Date 01/12/24 Time 19:25 hrs

(c) General Diary Reference : Entry No(s) 39 Time 19:25 hrs

4. Type of Information : written (typed) Written / Oral

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

(b) Address land measuring 12 khetas, RS Plot No-18, RS khakhan no-840/14, 840/13 & 840/17, Mouza Dabgsam, Pargana Baikunthapur, Taluk No-2, Mouza No-3, Sheet No-4, PS Bhaktinagar

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

6. Complainant / Informant :

(a) Name Rajib Roy

(b) Father's / Husband's Name LT Nitya Gopal Roy

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

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

(f) Occupation -

(g) Address Babupana, beside Borough office-IV, PO Simguri Town, PS Simguri, Dist. Dajpeging

7. Details of known / suspected / unknown accused with full particulars PS Simguri, Dist. Dajpeging

(Attach separate sheet, if necessary) :

① Paumal Souhan slo Lt Meghdol Souhan ② Sibani Souhan @ Sibani Sutradhan w/o Paumal Souhan - both of Himalaya Kanya Abasan, Phase-2 Block No-5 Plot No-514, Eastern By pass Road, PO Solgana, PS Bhaktinagar, Dist. Jalpaiguri ③ Umed Souhan slo Lt. Uola Choud Souhan of 212 Mile Serok Road, PO Solgana, PS Bhaktinagar

8. Reasons for delay in reporting by the Complainant / Information PS Solgana, PS Bhaktinagar, Dist. Jalpaiguri

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : Road, PO Solgana, PS Bhaktinagar

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 ASI Ribam Lepcha 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 is on the complaint of the Complainant / Informant

Inspector In-Charge
Bhaktinagar Police Station
Simguri Police Commissionerate

DR No. 7466 Date 2/12/24
Bhaktinagar Police Station Name: Shri AMIT ADHIKARY

15. Date & Time of despatch to the court : SPC Rank : No. IC Bhaktinagar PS, SPC

To
THE OFFICER-IN-CHARGE
BHAKTINAGAR POLICE STATION
DISTRICT: JALPAIGURI
PIN: 734003

Date: 02/12/24

Sub: Lodging of F.I.R. against (i) Sri Parimal Sarkar, Son of Late Meghlal Sarkar, (ii) Smt. Sibani Sarkar @ Sibani Sutradhar, wife of Sri Parimal Sarkar-both residing at Himalaya Kanya Abasan, Phase-2, Block No. 5, Flat No.5/4, Eastern Bypass Road, P.O. Salugara & P.S. Bhaktinagar, District Jalpaiguri, PIN: 734008, & (iii) Sri Kamal Sarkar, Son of Late Kala Chand Sarkar, resident of 2 ½ Mile, Sevoke Road, P.O. Salugara, P.S. Bhaktinagar, District: Jalpaiguri.

Sir,

I, SRI RAJIB ROY, Son of Late Nitya Gopal Roy, resident of Babupara beside Borough Office- IV, P.O. Siliguri Town, P.S. Siliguri, District: Darjeeling inform you as follows:

1. That on or about second week of September 2021 while seeking a legal opinion pertaining to a private issue, from abovenamed Sri Parimal Sarkar (who is an Advocate), he eventually appraised me that his abovenamed wife Smt. Sibani Sarkar@ Sibani Sutradhar alongwith abovenamed Sri Kamal Sarkar are lawfully constituted attorney holders on behalf of land owners in respect of land measuring 12 kathas morefully described in the schedule hereinbelow and if I know any prospective buyer then abovenamed Sri Parimal Sarkar be contacted with.
2. That subsequently after discussing with Smt. Dolly Saha, wife of Pradip Kumar Saha, resident of Maynaguri, Smt. Mamoni Kundu, wife of Jhantu Kundu, resident of Maynaguri (both are my relatives) and Sri Rabindra Nath Roy, son of Late

Jagannath Roy , resident of Maynaguri (my known) we all decided to purchase the below schedule land.

3. That consequently we met abovenamed Sri Parimal Sarkar, Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar on the month of October 2021 at abovereferred address of Sri Parimal Sarkar and signified our willingness to purchase the below schedule land measuring 12 Kathas and on good faith oral agreement for sale was entered by and between the abovenamed persons and four of us and total consideration price of the below schedule land was mutually fixed at Rs 30 lakhs only.
4. That accordingly said Smt. Dolly Saha agreed to purchase 4 kathas out of 12 kathas of land at total consideration amount of Rs 10 lakh only and paid an amount of Rs 5 lakhs vide RTGS being No. 9693 dated 07.10.2021 through Bank of India to abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and another Rs 5 lakh vide RTGS being No. 9692 dated 07.10.2021 through Bank of India to abovenamed Sri Kamal Sarkar as full consideration amount and registry was mutually agreed to be given within 6 months.

Likewise said Smt. Mamoni Kundu, agreed to purchase 2 kathas (in back portion) out of 12 kathas of land at total consideration amount of Rs 4 lakh only and paid an amount of Rs 2 lakhs only vide RTGS being No. 474210 dated 18.10.2021 through State Bank Of India to abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Rs 2 lakh only vide RTGS being No. 474209 dated 12.10.2021

through State Bank of India to abovenamed Sri Kamal Sarkar as full consideration amount and registry was mutually agreed to be given within 6 months.

Correspondingly said Sri Rabindra Nath Roy agreed to purchase 2 kathas (in back portion) out of 12 kathas of land at total consideration amount of Rs 4 lakh only and paid an amount of Rs 2 lakh only vide RTGS being No. 3171 dated 20.10.2021 through ICICI Bank to abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Rs 2 lakh only vide RTGS being No. 3172 dated 12.10.2021 through ICICI Bank to abovenamed Sri Kamal Sarkar as full consideration amount and registry was mutually agreed to be given within 6 months.

Accordingly I agreed to purchase 4 kathas out of said 12 kathas of land at total consideration amount of Rs 12 lakh and paid an amount of Rs 6 lakhs vide demand draft being No. 71809 dated 23.12.2021, drawn on UCO Bank to abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar as advance and balance amount of Rs 6 lakhs only was settled to be paid to abovenamed Kamal Sarkar at the time of registration within 6 months.

5. That subsequently inspite of my readiness and willingness to pay the balance amount of Rs 6 lakhs within the stipulated period of six months and despite full payments on part of aforesaid Smt. Dolly Saha, Mamoni Kundu and Sri Rabindra Nath Roy, abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Kamal Sarkar started to defer execution of registered sale deeds in our favour by giving lame excuses and on the plea that some disputes cropped up amongst the land owners which will take some reasonable time to resolve and thereafter registry would be given to us.

6. That thereafter on or about the first week of October, 2024 it was secretly learnt by me that abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Kamal Sarkar transferred certain portion of lands out of below schedule 12 kathas of land in favour of Sri Parimal Sarkar abovenamed on the strength of abovereferred registered power of attorney executed by the land owners favouring them.

Subsequently upon obtaining relevant documents it transpired that vide Deed being Nos. 8771/23, 8733/23, 8732/23, 8729/23, 8731/23 all registered at the office of the A.D.S.R., Bhaktinagar, District: Jalpaiguri 10 ½ Kathas out of 12 kathas was transferred in favour of abovenamed Parimal Sarkar by abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar vide power of attorney executed by the land owners favouring them.

It was moreover disclosed from the said documents that land measuring 1.5 kathas out of below schedule land measuring 12 kathas already remained jointly transferred in favour of abovenamed Parimal Sarkar and wife of abovenamed Sri Kamal Sarkar namely Smt. Bulbul Sarkar by virtue of deed of sale being No. 1088 of 2021 executed by abovenamed Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar on the basis of abovereferred power of attorney being Deed No. 070201088 of 2021 registered at the office of DSR Jalpaiguri and furthermore said Smt. Bulbul Sarkar transferred her share of 0.75 kathas from said land in favour of Sri Parimal Sarkar abovenamed vide deed of sale being No. 8771 of 2023 and whereas at the time of finalizing sale of below schedule 12 kathas of land to us,

abovenamed Parimal Sarkar, Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar completely suppressed the said fact.

7. That thereafter upon contacting and asking abovenamed Parimal Sarkar, Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar as to why they perpetrate such kind of fraud upon us, all the abovenamed persons threatend us with dire consequences and constantly warning us not to approach any lawful authorities against them, else, would harm us in life and limb.
8. That abovenamed Parimal Sarkar, Smt. Sibani Sarkar@ Sibani Sutradhar and Sri Kamal Sarkar in collusion and connivance with each other hatched up a deep rooted criminal conspiracy with the sole intention/objective to unlawfully grab and misappropriate our huge money and since inception had/have the intention to cheat us and have deceived us from the very beginning and also violated the trust reposed by us upon them with the ulterior motive of causing wrongful loss to us.
9. That owing to the aforesaid incidents we are passing our days in extreme fear and anxiety and financial stringent condition.

In the above circumstances, you are kindly requested to take appropriate legal action against the abovenamed persons according to law and ensure proper justice to us.

SCHEDULE OF LAND

ALL that piece or parcel of land measuring 12 kathas (within Panchayat area), appertaining to and forming part of R.S. Plot No. 18, recorded under R.S. Khatian Nos. 840/11, 840/13 & 840/17, situated within Mouza: Dabgram, Pargana: Baikunthapur, J.L. No.2, Touzi No.3, Sheet No. 4, P.S. Bhaktinagar, District: Jalpaiguri.

The aforesaid land is butted and bounded as follows:

North : R.S. Plot No.127 & Manik Saha & Tapan Saha;

South : Balaji Construction & R.S. Plot No. 18

East : 60 ft Metal Road;

West : IOC Pipe Line.

Thanking You,

Yours faithfully,

Rajib Roy

(SRI RAJIB ROY)

Mob: 9832061431

Enclo:-

All relevant documents
pertaining to the aforesaid
complaint.

*Received on 01/12/24 at 19:25 hrs with
GDE NO- 39 and started Bhaktinagar
PS case NO- 1125/24 dt. 01/12/24 at
406/420/120 B 2K and endorsed to
ASI Kibom Lepcha for its investigation.*

[Signature]
01.12.24
Inspector-In-Charge
Bhaktinagar Police Station
Siliguri Police Commissionerate