

FIRST INFORMATION REPORT

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

773



1. Dist. Darjeeling P.S. Matigara Year 2025 FIR No. 23/25 Date 10/01/2025
BNS Sections 316(2)/318(4) Act 336(2)(3) Sections 340(2)/2(5)
Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From Since the year 2016
Time Period Time From Time To

(b) Information received at P.S. Date 10/01/2025 Time 17:30 hrs.

(c) General Diary Reference : Entry No (s) 529 Time 17:30 hrs.

4. Type of Information Written - Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. About 3 1/2 km North from P.S.

(b) Address L.R. Plot No 4, 24, 36, 51 within Mouza Baroghoria J.L No-82, 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 Tamal Kundu

(b) Father's / Husband's Name s/o - Late Somnath Kundu

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

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

(f) Occupation

(g) Address Sudarshanpur, P.O.P.S- Rajganj, Dist- Uttardinajpur.

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

(Attach separate sheet, if necessary) :

- i) Pradip Kumar Gupta, s/o - Chotelal Gupta, of Bureduan Road, Sdg
- ii) Lalit Kumar Agarwal, s/o - Madanlal Agarwal iii) Mamta Agarwal w/o - Lalit Kumar Agarwal both the resident of Church road, Sdg
- iv) Tarawati Agarwal, w/o - Dilip Kr. Agarwal
- v) Sunita Agarwal w/o - Shyamlal Agarwal, both the resident of Hill Cart Road, Sdg. vi) Pawan Kumar Agarwal, s/o - Lt. Narayan Agarwal vii) Krishna Agarwal, w/o - Pawan Kr. Agarwal of Khalpara, Sdg.

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 complaint which is treated as FIR is enclosed 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 SP Manoj Roy. Inspector-in-Charge Matigara Police Station 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

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station
Name: KAMAL K. JOARDER
Rank : No. SP OF POLICE
Matigara P.S (SPE)
10.01.25

Received on 10/01/2025 at 17:30 hrs vide
MTG PS GDE No- 529 and stated MTG PS
Case No- 23/25, Dt. 10/01/2025, u/s- 316(2)/
318(4)/336(2)(3)/340(2)/3(5) of BNS.
SI Manoj Roy will investigate the case.
Dated: 10/01/25

To
The Inspector-in-Charge,
Matigara Police Station
District Darjeeling.

Inspector-in-Charge
Matigara Police Station
Siliguri Police Commissionerate
10.01.25

Sub : Complaint.

Sir,
Most humbly and respectfully I **Smt. Tamal Kundu**, Son of Late
Somnath Kundu, resident of Sudarshanpur, Post office & police Station
Rajganj, District Uttar Dinajpur, the undersigned beg to state as follows:

- 1) That my father, Late Somnath Kundu along with one Narayan Kumar Dutta, jointly purchased land measuring 2.70 Acres, as mentioned in the Schedule below vide registered Deed of Conveyance, being document No. 4175 for the year 1976, entered in Book No. I, Volume No. 66, Pages 42 to 49, registered at the Office of the Sub Registrar, Siliguri, executed by the said Smt. Swarupa Bhattacharjee, Wife of Ram Kali Bhattacharjee and since the date of purchase he and the said Narayan Kumar Dutta, had been in actual, khas and physical possession of the said land having permanent, heritable and transferable right, title and interest therein.
- 2) That after considering the physical possession and title, land measuring 1.36 Acres was recorded in the name of my father in L.R. Khatian No. 142.
- 3) That in the year 2016, it could be noticed that few persons namely (1) PRADIP KUMAR GUPTA, Son of Chotelal Gupta, of Burdwan Road, Siliguri, (2) SRI LALIT KUMAR AGARWAL, Son of Madan Lal Agarwal, (3) SMT. MAMTA AGRAWAL, Wife of Sri Lalit Kumar Agarwal, both residents of Church Road, Siliguri, (4) SMT. TARAWATI AGARWAL, Wife of Sri Dilip Kumar Agarwal, (5) SMT. SUNITA AGARWAL, Wife of Sri Shyamlal Agarwal, both residents of Hill Cart Road, Siliguri, (6) SRI PAWAN KUMAR AGARWAL, Son of Late Nanuram Agarwal, (7) SMT. KRISHNA AGARWAL, Wife of Sri Pawan Kumar Agarwal, both residents of Khalpara, Siliguri had encroached upon a portion of the below Schedule land and had also started claiming themselves to be the owners of portion of the suit land. The claim of the said persons are false and incorrect and they have no right, title, interest and possession in the suit land.

That due to the illegal and hostile act and activities of the said persons, my father, Late Somnath Kundu was compelled to file a suit against the aforesaid persons and others before the Ld. Civil Judge, Senior Division, Siliguri, being Title Suit No. Title Suit No. 42 of 2016 (Somnath Kundu - Vs - Narayan Kumar Dutta & others) and the same is pending.

That during pendency of the said suit the above said persons have been continuing with their attempts to enter upon and encroach the said land. They have also been trying to construct boundary wall in and over the said land or part thereof. They also claimed ownership of the said property.

- 5) That being suspicious with the said allegations and statements, I made necessary searches with the office of the A.D.S.R., Siliguri and A.D.S.R., Siliguri II at Bagdogra and obtain the certified copies of the relevant documents only in the month of February, 2024.
- 7) That on enquiry and after verification of the said documents it could be learnt that the said, Somnath Kundu is alleged to have executed a General Power of Attorney to and in favour of Sri Amulya Kumar Dutta being General Power of Attorney No. 564 of 1992, dated 21.12.1992, registered at the office of the Additional District Sub-Registrar, Siliguri, and the said Somnath Kundu, through his constituted Attorney Amulya Kumar Dutta had transferred part of the suit land vide 3 (Three) registered Deeds of Sale being Document No. 1303 of 2005, 1304 of 2005 and 1305 of 2005, to and in favour of the Defendants No. 3 to 8, all registered at the office of the ADSR, Siliguri II at Bagdogra.
- 8) That in fact the said Somnath Kundu had never executed any Power of Attorney with respect to the said land or part thereof, to and in favour of any person including said Amulya Kumar Dutta.
- 9) That it transpires that the aforesaid persons, in collusion with each other have forged and manufactured the alleged General Power of Attorney and have also got the alleged Sale Deeds with respect to the below Schedule land or part thereof, executed and registered with ulterior motive and for illegal gain.

- 10) That the alleged act of forgery on the part of the said persons have caused severe mental agony and pain to me and my family members and we are also apprehensive of our property.

I, therefore, request you to kindly investigate into the matter and take action against the namely (1) PRADIP KUMAR GUPTA, (2) SRI LALIT KUMAR AGARWAL, (3) SMT. MAMTA AGRAWAL, (4) SMT. TARAWATI AGARWAL, (5) SMT. SUNITA AGARWAL, (6) SRI PAWAN KUMAR AGARWAL, (7) SMT. KRISHNA AGARWAL, and book them for the offences committed by them and oblige

SCHEDULE

ALL THAT PIECE OR PARCEL of vacant land measuring 2.70 Acres, recorded in L.R. Khatian No. 142 & 70, corresponding to R.S. Khatian No. 13, appertaining to and forming part of R.S. Plot No. 2 (area 2.47 Acres), R.S. Plot No. 8 (area 0.04 Acres), R.S. Plot No. 11 (area 0.19 Acres), corresponding to L.R. Plot No. 4, 24, 36, & 51, within Mouza Baroghoria, J.L. No. 82, Police Station Matigara, District Darjeeling.

Thanking you,

Yours faithfully

Tamal Kundu

(SRI TAMAL KUNDU),

Son of Late Tamal Kundu,
Sudarshanpur, Ward No. 23,
P.O. & P. S. Raiganj,
District Uttar Dinajpur.

P.H. No. 2547438178