



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

1674

SPE

IPC

PS Mahagaia

Year 2021

FIR No. 124/2021

Date 22/02/2021

Section 461/467/468/120/120B

Sections

Sections

(iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day

Date From

02.09.2020

Date To

Time Period

Time From

Time To

(b) Information received at P.S. Date

22.02.2021

Time

20.05 hrs

(c) General Diary Reference : Entry No(s)

1592

Time

20.05 hrs

4. Type of Information

Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S.

1 km North (approx)

Beat No

(b) Address

HO 208 G. Block Office Tower City Centre  
Uttarayan Township Post P.S. Mahagaia / DJS

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

Name of the P.S.

N/A

District

6. Complainant / Informant :

(a) Name

Sri Sushil Mitruka

(b) Father's / Husband's Name

Sri Nam Chaud Mitruka

(c) Date / Year of Birth :

(d) Nationality

Indian

(e) Passport No

X

Date of Issue :

Y

Place of Issue

Y

(f) Occupation

(g) Address

Uttarayan Township Mahagaia P.S. Mahagaia / DJS

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

(Attach separate sheet, if necessary) :

Kajal Sarkar & Others

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

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 written complaint which is treated as FIR is re-produced overleaf

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

SI Mohini Islam of Mahagaia PS

investigation / refused investigation / transferred to P.S.

jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to Complainant / Informant free of cost

14. Signature / Thumb impression

of the Complainant / Informant

Noted in original complaint

15. Date & Time of despatch to the court :

23.02.2021 09.11 AM

Signature of the Officer in Charge, Police Station

Name

Rank / No

22/02/21  
T. B. S. S.  
Mahagaia Police Station  
Sikhar Police Commissionerate  
Mahagaia PS / SPE

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

Date: 22.02.2021

**Subject:** Complaint against forgery of my Signature and LLP Seal by Kajal Sarkar and filing of forged Agreement as genuine before the Ld. District Judge at Darjeeling.

Sir,

I, Sri Sushil Mitruka, Son of Sri Neem Chand Mitruka, presently Residing at Uttarayon Township, Matigara, P.S. Matigara, District- Darjeeling, Pin - 734010 do hereby lodge this complaint against Sri Kajal Sarkar, Son of Sri Kamal Sarkar, Resident of Dakghar Sarani, P.O. Bhaktinagar, P.S. Bhaktinagar, Siliguri- 734007 to the effect as follows:

1. That I have sent a complaint through email on 02.09.2020 against one Kajal Sarkar and others for committing forgery/cheating/ falsification of signature and seal/using the forged document as genuine one before the Ld. District Judge at Darjeeling.
2. The Copy of the said complaint was also submitted upon the Commissioner of Police, Siliguri on the same day. Thereafter my original written complaint along with forwarding letter was has been sent through registered post on 03.09.2020 with a request to register my complaint as F.I.R. under section 420/465/467/468/471/120B of the Indian Penal Code.
3. Be that as it may as there is no such progress again I am lodging this complaint with the following facts.
4. That I am the Designated Partner of Haldibari Tea Manufacturers LLP, having its registered office at G-208, Office Block, City Center, Uttarayon Township, P.O. and P.S. Matigara, District Darjeeling- 734010 along with my Daughter Smt. Ruby Mitruka, as its another Designated Partner.
5. That I have filed an application under Section 9 of the Arbitration and Conciliation Act, 1996 before the Ld. District Judge at Darjeeling being Misc. (Arbitration) Case No. 04 of 2020 and have obtained an ad- interim order of injunction dated 24.07.2020 against Shri Kajal Sarkar which has been extended time to time by Ld. Court and is still in force. The Ld. District Judge at Darjeeling vide its order dated 24.12.2020 at Page 7 of the said judgment, observed that he has used the forged document by showing dishonest intention for his illegal gain. The copy of the said judgment is annexed herewith which is self explanatory.

Haldibari Tea Manufacturers LLP

*Sushil Mitruka*  
DESIGNATED PARTNER

PS *Matigara* Year *2021* FIR No *125/2021* Date *22.02.2021*  
*4981* ii) Act Sections



6. That the final hearing of the case was concluded on 28.08.2020 at Siliguri Court Premises. Today i.e. on 02.09.2020, I have received a Copy of an Agreement dated 15.05.2020 that has been filed before the Ld. District Judge at Darjeeling in the said case on behalf of Shri Kajal Sarkar. During the course of hearing the said Kajal Sarkar never referred to the said Agreement before the Ld. District Judge at Darjeeling and it was non-existent at any point of time nor has it been mentioned in their written statement filed before the Ld. Court. On perusing the said document I was shocked/ surprised as I have never entered into such agreement nor have I signed or executed any such agreement with Shri Kajal Sarkar or anyone else. I would to mention here that the seal and my signatures put in the said Agreement dated 15.05.2020 is forged by Sri Kajal Sarkar and is a manufactured, fabricated and sham document and does not have any existence in the eye of law.
7. On examining my signature in the said Agreement dated 15.05.2020 I state that my signatures have been forged by Kajal Sarkar to support his false claims regarding the contents of the said Agreement. The offence of Kajal Sarkar is clearly visible from the fact that my forged signatures appearing in each page of the said agreement are different from each other, however such false, fictitious, fabricated, manufactured and forged document does not bind me in any manner and also does not create any claim or right of Kajal Sarkar to my detriment.
8. That the said Kajal Sarkar has dishonestly and fraudulently made, prepared the seal of the LLP, drafted the agreement, put my forged signatures and used the said document as genuine by filing it before the Court of the Ld. District Judge at Darjeeling.
9. That Sri Ratan Kumar Bagchi (Notary) and one Sri D. Karmakar, Advocate are part of the conspiracy in preparing the said Agreement as they have authenticated, certified, attested and identified the signatories to the said Agreement. The witnesses namely Hala Dhan Barman and Susanta Bose are also part of the conspiracy as they have aided Kajal Sarkar in commission of the said offence.
10. That the said Kajal Sarkar has made false and misleading statements in the said agreement and has falsely stated that he has invested money to the tune of Rs. 4.40 crores in the Tea Business of the LLP and further false statements that I have given my free consent/ NOC to Sri Rajendra Bajoria, Director of Huldibari Industries and Plantations Company Limited to execute any kind of agreement or transfer in respect of Huldibari Tea Estate in favour of Sri Kajal Sarkar for his illegal gains.
11. It will be pertinent to mention here that the said Kajal Sarkar has threatened me of dire consequences and is trying to take over my business using force, unlawfully and in this regard several complaints have been made before Siliguri Police Station and also before the Commissioner of Police at Siliguri.

HULDIBARI TEA MANUFACTURERS LLP

  
DESIGNATED PARTNER

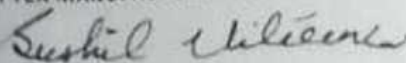
Haldibari Tea Manufacturers LLP  
HO: 208, G - Block, Office Tower, City Centre, Matigara, Siliguri, West Bengal - 734010  
Garden: Haldibari Tea Garden, PO: Binnaguri, Dist: Jalpaiguri, West Bengal - 735203  
☎ +91.9434065730 | ✉ haldibaritea llp@gmail.com

12. I am therefore before your good office to report the said acts of forgery, cheating, criminal conspiracy and other offences of Sri Kajal Sarkar and others. Kindly look into the matter and lodge a criminal case under sections 420/465/467/468/471/120B and other sections of Indian Penal Code, 1860 as applicable against the said accused persons.

Thanking You,

Yours faithfully,

HALDIBARI TEA MANUFACTURERS LLP



Sushil Mitra, DESIGNATED PARTNER

Copy to:

1. The Commissioner of Police, Siliguri Police Commissionerate, Siliguri.

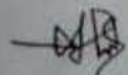
Enclosed:

Copy of Judgement dated 24.12.2020 passed by the Ld. District Judge at Darjeeling in Misc. Arbitration Case No. 4 of 2020.

Copy of forged Deed of Agreement dated 15.05.2020

Received at 22/02/2021 at 20:05 hr  
vide GDE NO 1292 dt 22/02/2021 and  
started Mahgura PS case NO 124/2021  
dt 22/02/2021 u/s 465/467/468/471/420/120B  
IPC and enclosed to SI Manish IS/GM  
of Mahgura PS for its investigation.



 22/02/21  
Officer in-Charge  
Matigara Police Station  
Siliguri Police Commissionerate