

A 7th

First information of a cognizable crime reported under section 154 Cr. P.C. at P. S.

- 1 District Alipur Jammu Sub-Div Jammu P.S. Falak Year 2021 FIR No 429/21 Date 22-08-21
- 2 Act 9PC Sections 415/418/471 Act Sections
- 3 Act Sections 420/506/120A Other Acts & Sections
- 4 (a) General Diary Reference Entry No 1025 Time 16:15 hrs.
- 5 (b) Occurrence of Offence: Day Date Time
- 6 (c) Information of Offence: Day Monday Date 22-08-21 Time 16:15 hrs.
- 7 G.D. No. 1025 at the Police Station.
- 8 Type of information Written / Oral
- 9 Place of Occurrence: (a) Direction and Distance from P.S. 26 km. North/West from P.S.
(b) Address Jogishora Gurdwara, P.S. Falak, Dist. Alipur Jammu.
Beat No.
- 10 (c) If case outside limit of this Police Station, then the name of
P.S. District
- 11 Complaint / Information:
- 12 (a) Name Vivek Kumar Prasad
- 13 (b) Father/Husband's Name Satish Vijay Kumar Prasad
- 14 (c) Date/Year of Birth 40 years
- 15 (d) Nationality Indian
- 16 (e) Address Jogishora, Gurdwara, P.S. Falak, Dist. Alipur Jammu.
- 17 Details of Known/suspected/unknown/accused with full particulars: ① Rambabu Prasad S/O
(attach separate sheets, if necessary) Raghu Prasad, ② Rishi Kumar
Prasad S/O Rambabu Prasad both of
Jogishora Gurdwara, P.S. Falak, Dist.
Alipur Jammu. ③ Vijay Kumar Prasad S/O
Rambabu Prasad S/O Rishi Kumar Prasad S.O.
- 18 Reasons for delay in reporting by the Complainant/informant Callous, negligent, P.S. Prasad
Dist. Alipur Jammu.
- 19 Particulars of properties stolen/involved: (Attach separate sheets, if required)
- 20 Total value of properties stolen/involved
- 21 Inquest report/U.D. Case No. if any N/A.
- 22 FIR contents: (Attach separate sheets, if required) The original written complaint
which is filed as FIR is enclosed
- 23 Action taken: Since the above report reveals commission of offence(s) viz the same

registered the case and took up investigation directed per and ab initio

to take up the 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.

Signature / ~~Thumb impression~~ of
the Complainant/Informant on written
complaint

Signature of the Officer in Charge, Police Station
Name Shri Sonar Singh
Rank 9/e Falakata P.S.
Number, if any

Dated: 23/08/2021

To,
The officer-in-charge,
Falakata Police Station,
P.O. & P.S. Falakata
District Alipurduar
Pin: 735211.

Received on-23-08-21 at 11:05h.
Vivek Falakata P.O. GPF No-1055 dt
23-08-21 and stated Falakata P.S.
Case No - 429/21 dt 23-08-21
U/S 415/418/431/470/120 B 9PC

Subject: F.I.R.

ACCUSED PERSONS:-

1. **MR. RAMBABU PRASAD** (S/O. Shri Raghur Prasad) age about 58 years, Occupation: Business, Permanent Resident of: Village: Jogijhora Barabak, Vill: Jogijhora Barabak, P.O. Ethelbari, P.S. Falakata, District: Alipurduar, Pin: 735204, West Bengal (M) 9775657720
2. **MR. RAVI KUMAR PRASAD** (S/O. Shri Rambabu Prasad) age about 33 years, Occupation: Business, Permanent Resident of: Village: Jogijhora Barabak, Vill: Jogijhora Barabak, P.O. Ethelbari, P.S. Falakata, District: Alipurduar, Pin: 735204, West Bengal (M) 9733244835
3. **MR. AJOY KUMAR GUHA @ BISU BABU** (S/O. Shri. Ajit Kumar Guha) age about 78 Years, occupation: Nil, permanent resident of: S.C. Colony, Kalihari Road, (Landmark: Kali mata mandir) P.O. & P.S. Birpara, District: Alipurduar, Pin: 735204, West Bengal (M) 9832372410

COMPLAINANT:-

VIVEK KUMAR PRASAD Age about 40 Years, Occupation: Business,
Residing at: Vill: Jogijhora Barabak, P.O. Ethelbari, District: Alipurduar, Pin: 735204, West Bengal,
M: 9832096299

Respected Sir,

With due respect, I Vivek Kumar Prasad (son of Late Shri Vijay Kumar Prasad) would like to lodge an F.I.R. against the above named accused persons for criminal conspiracy, forgery, cheating and other appropriate provisions of Indian Penal Code.

1. That I am one of the legal heirs of Late Shri. Vijay Kumar Prasad (S/o. Late Shri. Janardhan Prasad). That 3.49 acres area of land in Plot/Dag No. 538 situated at Jogijhora Barabak, P.O. Ethelbari, P.S. Falakata, District: Alipurduar, West Bengal as per Khatian No. 277 was in the name of Late Shri. Vijay Kumar Prasad (**annexed herewith old Khatian No. 277**).

2. That the Accused Nos. 1 Mr. Rambabu Prasad; his wife Mrs. Rabri Devi Prasad and their son the Accused No. 2 Mr. Ravi Kumar Prasad have been staying in our property as permissive occupier since around 1984. That after the demise of my father the Accused No. 1, Mr. Rambabu Prasad; his wife Mrs. Rabri Devi Prasad and their son Accused No. 2 Mr. Ravi Kumar Prasad who are my neighbour have been approaching me; my brothers and my mother to hand over the possession of our farm land which is in our possession since many decades upon denial of which they became furious and threatened us with dire consequences and further also threatened us that they would grab the land anyhow. Accordingly, we intimated his illegal motive to the Gram Panchayat 1, Vill: Jogijhora Barabak, Ethelbari on 02/11/2020 **(annexed herewith is a copy of the application dated 02/11/2020).**
3. That it is pertinent to note that my brothers were staying out and were job going and I and one of my brothers was staying with my mother. The Accused No. 1 Mr. Rambabu Prasad; his wife Mrs. Rabri Devi Prasad and their son the Accused No. 2 Mr. Ravi Kumar Prasad have made our life miserable and every now and then they would threaten us through local goons and have been trying to forcibly trespass in our farm land with their illegal intention to grab the land and encroach upon the same. They have been threatening our family members with dire consequences. That due to this tense situation our entire family specially my mother has been living under threat to our life and limbs. That even my other brothers are forced to stay here.
4. That recently it came to our knowledge that they have illegally mutated the property along with additional portion of our farm land which they have been trying to encroach upon and have been threatening me, my brothers and my mother with dire consequences if we fail to vacate and transfer him a portion of the said land in plot No. 538. That from their act it was clear that in order to fulfil his object to encroach and grab our land they can go to any extent. That in order to fulfil their object the Accused No. 1 Mr. Rambabu Prasad and his son the Accused No. 2 Mr. Ravi Kumar Prasad approached Accused No. 3 Shri. Ajoy Kumar Guho who is old bed ridden person. The Accused No. 1 Mr. Rambabu Prasad and his son Accused No. 2 Mr. Ravi Kumar Prasad instigated the Accused No. 3 Shri. Ajoy Kumar Guho and lure him with greed of money in order to fulfil their object to grab the said land. Therefore, in order to fulfil their motive Accused No. 1 Mr. Rambabu Prasad and his son Accused No. 2 Mr. Ravi Kumar Prasad having hand in gloves with the Accused No. 3 Mr. Ajoy Kumar Guho entered into a criminal conspiracy with their common intention to grab the said land from us. The same shall be established from the facts and documentary evidences annexed herewith.

5. Firstly, Accused No. 1 Mr. Rambabu Prasad and his son Accused No. 2 Mr. Ravi Kumar Prasad took signatures of the Accused No. 3 Mr. Ajoy Kumar Guha on the application dated 30/06/2021 to be filed before the BL&LRO, Falakata with a motive to illegally delete a portion of the land from plot no. 538 from my father Late Shri Vijay Kumar Prasad khatian No. 277.
6. That in view of said application made in the name of the Accused No. 3 Shri. Ajoy Kumar Guha dated 30/06/2021, the Accused No. 1 Mr. Rambabu Prasad and his son Accused No. 2 Mr. Ravi Kumar Prasad approached officials of BL&LRO, Falakata, as per their plan the officials of BL&LRO, Falakata on the same day registered a Case vide No. AMN/2021/2001/5261 for mutation of Land u/s. 50 of WBLR Act, 1955 and an area of 0.45 Acres was illegally deleted from the said Khatian No. 277 of Late Shri. Vijay Kumar Prasad and was entered in the name of the Accused No. 3 Shri. Ajoy Kumar Guha with new khatian No. 1504 without following the due process of law.
7. It is pertinent to note that the hearing date was fixed on 07/07/2021. However, without giving an opportunity of being heard to the legal heirs of Shri. Vijay Kumar Prasad an area of 0.45 Acres from said khatian No. 277 was illegally deleted. Lately, a notice dated 30/06/2021 in the name of Shri Vivek Kumar Prasad was dispatched on 14/07/2021 vide india post and was served only on Shri. Vivek Kumar Prasad on 27/07/2021, wherein it was asked to attend the hearing which was already held on 07/07/2021. Further, no notices were ever sent to any other legal heirs of Late Shri. Vijay Kumar Prasad, intimating the date of hearing **(annexed herewith a copy of the postal receipts and envelop).**
8. That after receiving the notice I searched on the online app on 28/07/2021 about the details of mutation in the name of my father Shri. Vijay Kumar Prasad and to my surprise a portion of 0.45 acre has been illegally deleted from said khatian No. 277. Therefore, on 29/07/2021 an application was filed before BL&LRO, Falakata and DL&LRO, Alipurduar intimating about the illegal activities being carried out and requesting to restore the said khatian no. 277 **(annexed herewith a acknowledged copy of BL&LRO and DL&LRO of application dated 29/07/2021)**. That on the same day i.e. on 29/07/2021 I received a certified copies of the new khatian No. 1504 in the name of Mr. Ajoy Kumar Guha with 0.45 acre land in plot no. 538 and khatian no. 277 wherein area of 0.45 acre was missing **(annexed herewith is a copy of the khatian No. 277 and 1504).**
9. That further, an application was made for certified copy of the order sheet of case no. MN/2021/2001/5261 on 29/07/2021 and order sheet was received on 02/08/2021 **(annexed herewith is a copy of the order sheet dated 02/08/2021)**. To my surprise

hearing was conducted on 07/07/2021; 26/07/2021 and 02/08/2021 however, the case was already disposed of on 28/07/2021 the day on which there was no hearing. Therefore, on the mere perusal of the order sheet it transpires that the entire case proceedings is sham and bogus and have been manipulated in furtherance to fulfil the illegal motive to illegally delete area of 0.45 acres from my father's khatian No. 277 and creating a new khatian No. 1504 in the name of the Accused No. 3 Mr. Ajoy Kumar Guho. That the said act on the part of the Accused resulted in unlawful losses to me and other legal heirs of Late Mr. Vijay Kumar Prasad and unlawful gain to the Accused Nos. 1, Mr. Rambabu Prasad, his wife Mrs. Rabri Devi Prasad and their son Accused No. 2 Mr. Ravi Kumar Prasad and the Accused No. 3, Mr. Ajoy Kumar Guho.

10. It is pertinent to note that the notice dated 30/06/2021 of case filed in the name of Ajoy Kumar Guho (vides case no. AMN/2021/2001/5261) for intimation of date of hearing dated 07/07/2021 mentioned the mobile no. 9775657720, surprisingly, the said mobile no. is of the Accused No. 1 Mr. Rambabu Prasad **(annexed herewith a copy of the notice dated 30/06/2021)**. Therefore, on mere perusal of the notice itself, it transpires the clear nexus among Accused No. 1 Mr. Rambabu Prasad; his son Accused No. 2 Mr. Ravi Kumar Prasad and the Accused No. 3, Mr. Ajoy Kumar Guho.
11. From the above mentioned facts and circumstances it is evident that the above mentioned Accused Nos. 1 Mr. Rambabu Prasad; and his son the Accused No. 2 Mr. Ravi Kumar Prasad and the Accused No. 3 Mr. Ajoy Kumar Guho are having hand in gloves with each other in order to fulfil the illegal motives. Further, I apprehend that the Accused No. 1 Mr. Rambabu Prasad would take a registry of sale deed from Accused No. 3 Shri Ajoy Kumar Guho with respect to the said portion of the said 0.45 acre land in his own name which has been illegally mutated in the name the Accused No. 3 Shri Ajoy Kumar Guho in order to complete the entire criminal conspiracy. It is pertinent to note that the Accused No. 1 Mr. Rambabu Prasad is a habitual offender and he had conducted the similar criminal conspiracy against my father whereby the Accused No. 1 Mr. Rambabu Prasad along with the Accused No. 3 Mr. Ajoy Kumar Guho have mutated in his name 0.16 acre land, in the same plot no. 538, which was deleted from khatian No. 79/5 which was in the name of my grandfather Late Shri. Janardhan Prasad. Therefore, my father had filed a complaint to BL&LRO dated 11/04/2002 **(annexed herewith a copy of the complaint dated 11/04/2002)**.
12. That in view of the above mentioned facts as narrated above along with the documents enclosed herewith, it reveals that that the complainant and his family members are subjected to deep rooted criminal conspiracy involving the accused No. 1 Mr. Rambabu

Prasad; accused No. 2 Mr Ravi Kumar Prasad and Accused No. 3 Mr. Ajoy Kumar Guho and officials at the office of the BL&LRO, Falakata by way of forgery and manipulation of government records for illegal gains. Further, there is threat to our life and limbs, as the Accused No. 1 Mr. Rambabu Prasad and his son the Accused No. 2 Mr. Ravi Kumar Prasad have threatened me and my family members with dire consequences. In such views of matter, I request you to kindly register a case on the basis of information disclosed and investigate the matter for the end of justice.

Vivek Prasad

VIVEK KUMAR PRASAD

COMPLAINANT

Enclosed herewith:-

1. the application dated 02/11/2020
2. Notice dated 30/06/2021 in case no. AMN/2021/2001/5261.
3. Postal Envelop and online track report of notice reflecting the notice dispatched on 14/07/2021 and received by Shri. Vivek Kumar Prasad on 26/07/2021 (actually delivered on 27/07/2021).
4. Order sheet in case no. MN/2021/2001/5261 dated 02/08/2021.
5. Old and new Khatian No. 277 of plot No. 538 in the name of Late Mr. Vijay Kumar Prasad reflecting deletion of 0.45 acre land.
6. New Khatian No. 1504 in the name of Mr. Ajoy Kumar Guho with 0.45 acre land in plot no. 538.
7. Application to BL&LRO and DL&LRO dated 29/07/2021
8. Application before BL&LRO dated 11/04/2002