

FIRST INFORMATION REPORT

2051

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

1. District Asansol Sub-Divn Aliputara P.S. Samuktala Year 20 21, FIR No. 51/20 Date 15.3.21
2. i) Act I.P.C. Sections 403/417/428 ii) Act _____ Sections _____
 iii) Act _____ Sections _____ iv) Other Acts & Sections Sec 73 of the Indian Contract Act 1872
3. a) General Diary Reference Entry No. 526 21.5.3.21 Time 15.30 hrs.
 b) Occurrence of Offence : Day _____ Date Not Mentioned Time _____
 (c) Information of Offence : Day Mon Day Date 15.3.21 Time 15.30 hrs.
 G.D. No. 526 21.5.3.21 at the Police Station.
4. Type of Information : Written / Oral Written.
5. Place of Occurrence : (a) Direction and Distance from P.S. 07 KM North/South
 (b) Address Shoolajhara T.G. P.S. Samuktala
Dist. Aliputara Beat No. _____
 (c) In case outside limit of this Police Station, then the name of
 P.S. _____ District _____
6. Complaint / Information :
 (a) Name Amit Mitra
 (b) Father's/Husband's Name Lt Amar Krishna Mitra Managing Director
"Care Tea Pvt. Ltd."
 (c) Date/Year of Birth _____
 (d) Nationality Indian
 (e) Address Siliguri
7. Details of Know/suspected/unknown/accused with full particulars : 1) Mr. Sushil Kumar Barla of
Director Bengal Decors National Tea Company Ltd. B.D.N.T.C, Shoolajhara
T.G., P.S. Samuktala, Dist A.P.D.
 (attach separate sheets, if necessary)
8. Reasons for delay in reporting by the Complainant/Informant _____
9. Particulars of properties stolen/involved : (Attach separate sheets, if required)
Shoolajhara T.G.
10. Total value of properties stolen/involved Rs. 6,74,63,105/-
11. Inquest report/U.D. Case No. if any _____
12. FIR contents : (Attach separate sheets, if required) The original written complaint of
complainant which is treated as original F.I.R.
13. Action taken : Since the above report reveals commission of offence(s) u/s _____

registered the case and took up investigation/directed SI. Anil Kumar Sarkar
 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 of the Officer-in-Charge, Police Station
Anam Dasgupta Saha

Care Tea Private Limited

City Office :

Sunny Tower Building, 2nd Floor
Flat No. - 2E, Sevoke Road, Siliguri - 734001
Tel : (0353) 2641132, 2641845
E-mail : careteasig@gmail.com
Website : www.careteasig.com
CIN : U01132WB2002PTC094969

Registered Office :

Jyoti Nagar
2½ Mile Sevoke Road,
Siliguri - 734001

To
The Office-in-Charge,
Shamuktala P.S.,
Alipurduar,
West Bengal,

15.03.2021

Sub: First Information Report u/S. 154(1) of the Code of Criminal Procedure, 1973 against Bengal Dooars National Tea Company Ltd. and its Director Mr. Sushil Kumar Berlia, accounting for criminal offences u/S(s). 403, 415, 417, and 420 of the Indian Penal Code, 1860, in conjunction with the civil offence of Breach of Contract u/S. 73 of the Indian Contract Act, 1872.

Respected Sir,

I, Amit Mitra, S/o Late Amar Krishna Mitra, aged about 72 years, Hindu by faith, Managing Director of "Care Tea Pvt.Ltd.", duly formed and registered under the relevant provisions of the Companies Act, 1956, having its registered office and principal seat of business at Siliguri, being a registered Tea Broker and involved in the business of tea brokerage especially under the Siliguri Tea Auction Committee, would like to submit this instant First Information Report before your good office on the basis of the factual matrix as delineated hereunder:

That the Bengal Dooars National Tea Company Ltd. (hereinafter referred to in its abbreviated form, "BDNTC"), is a public limited company that has its registered office at Jalpaiguri and holds and owns the Dhowlajhora Tea Estate. In the past, BDNTC had approached us, of its own volition, with a business proposal proposing an arrangement that the entire MADE TEA manufactured by the Dhowlajhora Tea Estate shall be sent to us for sale, through the process of auction at the Siliguri Tea Auction, in exchange for an advance to be made on our behalf against such sale, consequent to which such amount advanced by us would be adjusted against the said sale proceed that was to be executed on their behalf. Furthermore, it was simultaneously pitched that the payment of contractual brokerages and other allied charges applicable as per the STAC Rules would, at the same time, be adjusted with the sale amount. Convinced by and pursuant to this arrangement, we in utmost good faith, on such terms and conditions the crux of which has been stated in the part immediately preceding paid a hefty sum as advance.

Contd. P/2

Care Tea Private Limited

City Office :

Sunny Tower Building, 2nd Floor
Flat No. - 2E, Sevoke Road, Siliguri - 734001
Tel : (0353) 2641132, 2641846
E-mail : careteasig@gmail.com
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Thereafter, upon receiving the hefty sum from us and dishonestly pocketing the same, BDNTC altogether stopped sending us the contractually agreed MADE TEA for Sale. We made countless and fervid entreaties thereon, requesting BDNTC to ensure and resume the delivery of the MADE TEA in our favour as per the express terms of our agreement. However, all our correspondences and communications fell on deaf ears, and we received no response whatsoever from their end in this regard. In the meanwhile, we came to know that BDNTC had undergone a change in its management, and that the Directors had transferred their majority shareholdings to a certain Mr. Sushil Kumar Berlia, a resident of Siliguri, who thus became the new Director of BDNTC.

It has come to our knowledge, and we have sufficient grounds for believing, that Mr. Sushil Kumar Berlia has been the principal conspirator who had colluded with the members of BDNTC and machinated a plan so as to breach, violate, and frustrate our agreement, with the aim of defrauding, deceiving, and depriving us of our lawful rights in respect of the same.

We would like to put on record that as of today, we stand as a *bona fide* company that has been cozened, misled, hoodwinked, and cheated. Our coffers have been drained by exploiting our unhesitant trust, and a hefty sum of money has been siphoned off us. Now this hefty sum of money reached to Rs.6,74,63,105/- with interest as on 31.12.2020 and as per agreement.

In view of the above, I would urge you to kindly take appropriate actions against Bengal Doors National Tea Company Ltd. and its Director Mr. Sushil Kumar Berlia and arraign him for committing the offences of Criminal Misappropriation of Property (S. 403 IPC), Cheating (S.(s) 415, 417 IPC), Fraud (S. 420 IPC), and Breach of Contract (S. 73 of the Indian Contract Act, 1872), by primarily accepting this instant First Information Report u/S.154(1) of the Code of Criminal Procedure, 1973, and initiating a thorough investigation in this behalf.

Received on 15.3.21 at 1530 hrs
and Samuktala p.s. G.D.E no-526 dt.15.3.21
and started Samuktala p.s. Case no-51/21
dt.15.3.21 u/s-403/417/420 IPC R/w Sec.
73 of the Indian Contract Act 1872.

hike
15/3/21
Officer In-Charge
SAMUKTALA P.S.

Thanking you,

Yours faithfully,
For Care Tea Private Limited

[Signature]
Managing Director
Care Tea Pvt. Ltd.
Siliguri

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