

IN THE COURT OF THE ACJM AT ALIPURDUAR

C. R. /20

Smt. Shrabani Roy Das
W/o Sri Santosh Kumar Das
resident of Jamthek Coloural ^{Club} club, Bholar Dabri,
P.S. & Dt. Alipurduar
.....Complainant

Vs.

1. Prashanta Das S/o Subal Das
2. Bumba Sangma s/o Anu
Sharma
3. Subhankar Saha s/o Swapan
Saha
4. Mantu Das S/o Manik Das
All are resident of Paschim
Jitpur, near Vivekananda Club,
P.S. & Dist. Alipurduar

.....Accused persons

Inspector-In-Charge
Alipurduar Police Station
Dist. Alipurduar

WITNESSES

1. Santosh Das,
2. Sanjay Das, Bijoy Das,
3. Awi Iswarari,
4. Jitendra Pasowan,
5. Anket Das,
6. Chandan Das
and many others

Shahid Badal Sangha Club
Alipurduar Junction
Dated: 27.10.2020
To: The District Magistrate,
Alipurduar
From: Santosh Das
Subject: Complaint regarding
assault and harassment
at Shahid Badal Sangha Club

1. That the complainant is a peace loving and law abiding housewife whose husband is Sri Santosh Das, on the other hand the accused persons are the known hooligans of the area and they are quarrel some in nature.
2. That 27.10.2020 at about 10:30 pm after the immersion of Durga Idol of Shahid Badal Sangha Club the husband of the complainant namely Santosh Das went to Litchutala to bring his scooter.
3. That at that time all the accused persons are present there and they intentionally throw water on the person of Santosh Das.
4. That for the act of accused persons Santosh Das raised protest and over the issue all the accused persons started quarreling and abusing Santosh Das in filthy languages.
5. That suddenly the accused persons attacked Santosh Das and fell him down on the ground and started to assault him with fist blow and kicks.
6. That Santosh Das somehow escape from the clutches of the accused persons and reached at his house.
7. That the accused persons are associated with Vivekananda Club situate at Alipurduar Junction, so Santosh Das being in injured condition went to Vivekananda Club accompanying by the complainant to inform the matter to other members of Vivekananda Club.
8. That when said Santosh Das along with the complainant reached at Vivekananda Club the accused persons were present there and the accused person seeing them started to

9. That accused no 3 Subhankar Saha was carrying a weapon "fighter" which was attached to his fingers and the accused no 3 started to punch on the nose of Santosh Das with the said metal weapon and accused no1 Prashanta Das and accused no 4 Mantu Das started to give punches on the eye of Santosh Das and due to such heavy assault blood was oozing from the nose from eyes and other part of the face of Santosh Das.
10. That then accused no 1, 2 and 4 with the intention to kill Santosh Das give heavy blows with bamboos towards the head of Santosh Das but as Santosh Das turned his head the blow of bamboo hit his shoulder and other part of the body.
11. That the accused persons continue to punch on the head of Santosh Das and due to such assault the backside of the head of Santosh Das was inflamed.
12. That during assault the complainant tried to save her husband Santosh Das from the accused persons the accused persons caught the complainant by her hair and in humanly pulled her hair and also tried to undress the complainant and intentionally touches the private parts of the body of the complainant and outrage her modesty.
13. That the accused persons also snatched a gold chain from the neck of the complainant approximately amounting to Rs. 22,000/- and the accused persons also snatched the purse, ATM card and cash money amounting to Rs.5,000/- from the pocket of Santosh Das.
14. That the accused person with common intention tried to kill Santosh Das.

Signature

10/11/2020

- 15 That during assault the complainant and Santosh Das raised hue and cry for that area people came at the spot along with the witnesses and that due to the intervention of area people and witnesses the Santosh Das and complainant were saved from the hands of the accused persons.
16. That the complainant then took her husband Santosh Das in a bleeding condition at Alipurduar Hospital and said Santosh Das was admitted in Alipurduar Hospital in critical condition and after examining Santosh Das doctors found that the nazal bone and the bone corresponding to the little finger of right hand of Santosh Das was broken due to heavy assault and left eye of said Santosh Das had sustained bleeding injury with blood clod and the pupil of said eye was enlarged due to the assault and moreover Santosh Das have many other injuries and inflammation all over his body.
- 17 That in that night Santosh Das was taken admitted in Alipurduar Hospital and due to Covid-19 pandemic situation he took discharged on 01-11-2020 by requesting the attending doctors and as there is no proper setup to treat his affected eye in Alipurduar Hospital so on 05-11-2020 he went to Alipurduar Lions Eye Hospital and started proper treatment.
- 18 That presently Santosh Das is under medical treatment for his broken nose, broken little finger and eye.
19. That the complainant on 28-10-2020 filed an FIR before the I.C. Alipurduar police station stating all the facts therein and said FIR was duly received by the duty officer of said P.S. and the complainant was assured that proper legal steps will be taken by the police officials against the accused persons but after lapse of time when no police officials went to

20. That the complainant after some days also approached before the S.P. Alipurduar and filed a written complaint stating all the fact of FIRs but neither any received copy was provided from the S.P. office nor any action has been taken against the accused person for committing the afore said crime.
21. That the accused persons are very influential persons and they are still threat ling the complainant and her husband Santosh Das for dire consequences if they dare to dig the matter.
22. That due to waiting for the police action the delay has occurred in filling this complaint before the court.
23. That the father of Santosh Das Sri Ramprasad Das is too much ill and due to his treatment the complainant and Santosh Das was very much busy as the doctor has opined said Ram Prasad Das to undergo of an operation, so the complainant and Santosh Das did not able to come before this Court earlier, hence the delay of filing this petition of complaint

Johnston, 1861

24. That the accused persons have committed the aforesaid offences and after trial they should be convict under relevant section of I.P.C.

Accordingly it is prayed that you honour would be pleased to send this petition of complaint under section 156 (3) Cr.PC to the I.C. Alipurduar P.S. with a direction to start a case under proper section of I.P.C. and to report before your honour.

And

Pass such other order or orders as to
your honour may deem fit and proper.