

IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE  
AT ALIPURDUAR

Complaint Case No

7050

Uttam Sutradhar  
S/o Late Jogeshwar Sutradhar  
of Village Chhoto Salkumar  
P.S. Falakata, Dist. Alipurdwar

Complainant

Versus

1. Safikul Islam  
S/o Khan Ali
  2. Rafikul Islam  
S/o Khan Ali
- Both residents of  
Village Dulal Dokan  
P.S. Falakata, Dist. Alipurdwar

Accused Persons

AFFIDAVIT

I, UTTAM SUTRADHAR, son of Late Jogeshwar Sutradhar, aged about 51 years, residing at Village Chhoto Salkumar, P.S. Falakata, Dist. Alipurdwar, do hereby solemnly affirm and declare on oath as follows:-

- (a) That I am the complainant in the afore mentioned case and the complaint has been drafted under my instructions and at my instance and the contents of this written objection has been read and understood by me.
- (b) That I am well acquainted with the facts and circumstances of this present complaint.
- (c) That the averments made in the foregoing paragraphs of the said complaint are all true and correct to the best of my knowledge and rest are my humble submissions before the Ld. Forum.
- (d) That the facts stated in the complaint are true and correct to the best of my knowledge and may be read as part and parcel of my Affidavit being not repeated herein for the sake of brevity and to save resources.

VERIFICATION

That the averments made in the aforesaid paragraphs are true to the best of my knowledge and belief and I sign this verification on this 27<sup>th</sup> day of February 2020 at Alipurdwar Court premises

DECLARANT

Subscribed and sworn before me at  
Alipurdwar on 03/11/2020.

G.C. S. S. S.  
JUDGE OF DISTRICT COURT  
ALIPURDUAR

03/11/2020

Quantum - Substantive  
Pr. 14. Appd

15. That the complainant seeks the permission of the Ld. Court to urge any additional ground or to examine any other witness or to submit any other documents which would be made available to him at the time of hearing of this complaint.

In view of the aforesaid submissions made herein and in the interest of justice, it is therefore most respectfully prayed that this Ld. Court may graciously be pleased to:

- (i) Register the present complaint and issue directions to the police authority to treat the complaint as FIR and initiate investigation based upon the complaint.
- (ii) Take cognizance of the offence, as the contents per-se amounts to commission of offence as indicated above, without anything more.
- (iii) Summon try and punish the accused persons for committing the offences under Section 341/356/506 and 511 of Indian Penal Code 1872 -
- (iv) Take appropriate steps for prosecution and punishment of the afore mentioned accused persons and undisclosed accused persons

AND

Pass such other or further orders as this Ld. Court may deem fit and proper in the facts and circumstances of the case.

Drafted by:-

(Advocate)

8. The police personnel Mr. Rao took the complainant to Falakata police station but the complainant became severely ill at that time due to body pain and bleeding from the wounds and visited doctor for treatment. However the complainant submitted his hand written complaint before the O.C., Falakata P.S on that day.
9. That on 07.01.2020 the complainant arrived at the Falakata Police Station to obtain the motorcycle and the other snatched articles but was informed that the police have not found any trace of the motor cycle or articles.
10. That on 06.01.2020 the complainant wrote a hand written complaint in his own hand writing to the Falakata P.S. in their police station premises and submitted the complaint requesting to treat the complaint as FIR but till date neither any GDE entry has been made on the complaint nor any snatched articles and/or motorcycle has been recovered and handed over to the complainant and unfortunately no P.S. Case has been registered against the accused persons.
11. That feeling helpless, the complainant submitted a complaint before the Supd. Of Police, District Alipurduar on 18.01.2020 with a copy to I.C. Alipurduar P.S. and O.C. Falakata P.S. requesting to look into the matter and initiate necessary action against the accused persons and for recovery of seized articles but no action till date has been initiated by the office of the Supd. Of Police, District Alipurduar.
12. That the cause of action for filing this present complaint has arisen on 06.01.2020 when the complainant was assaulted by the accused persons and snatched his motor cycle and articles and then on 06.01.2020 when a hand written complaint was submitted by the complainant to treat the complaint as FIR and further on 18.01.2020 when a complaint was submitted addressed to Supd. Of Police, District Alipurduar. The cause of action is continuing one.
13. That the cause of action has arisen within the jurisdiction of the Ld. Court which may take cognizance of the offence as committed by the accused persons.
14. That the present complaint has been filed within the period of limitation and this Ld. Court is competent to entertain and try the present complaint and grant relief to the complainant.



Bijoy Jaim  
pdt. nkd

Luvam Satish

4. That at the evening hours at about 4pm to 5pm on 06.01.2020 , the complainant was at Netaji Road, Falakata before Monorama Jewelers to deposit his wife's ear ring valued at Rs.22,000.00/- as lien for financial assistance. During that time the complainant was carrying cash of Rs.4000.00/- with him. In addition to that, the complainant was in possession of his Motor Cycle being Regd. No. WB70C 3055 (containing his company's LIC Bag containing Policies of LIC and documents, Rs.35000.00/- in cash for wages of the potato cultivation agricultural labours , his hand gloves, cap, two large bags and muffler), his cellular phone of the value of Rs.11000.00/- , a gold chain at his neck valued at Rs.33000.00/-.
5. That due to rush of customers at Monorama Jewelers , the complainant went to park his Motor Cycle nearby and during such time the accused persons along with some unidentified persons of the Truck Union besides the party office of the Trinamool Congress political party assaulted the complainant with the intention to kill him and tried to bind his hands and legs with ropes and iron chain. Due to raising objection to such conduct and shouting out loud, the complainant was subjected to severe fists, kicks and blows. The complainant attempted to call the O.C of the Falakata Police Station but the accused persons snatched the cellular phone of the complainant.
6. That later an official of the Falakata Police Station Mr. Rao arrived at the spot of the incident and rescued the complainant from the assault inflicted upon the complainant by the accused persons and their unidentified handymen. During the rescue act by the police personnel, the accused persons had scuffle with the complainant and in such process the accused persons forcefully snatched the cash of Rs.4000.00/- from the complainant, his wife's ear ring valued at Rs.22,000.00/- his Motor Cycle being Regd. No. WB70C 3055(containing his company's LIC Bag containing Policies of LIC and documents, Rs.35000.00/- in cash for wages of the potato cultivation agricultural labours , his hand gloves, cap, two large bags and muffler), and a gold chain at his neck valued at Rs.33000.00/-.
7. That the complainant complained to the police personnel of the incident, and the police personnel Mr. Rao enquired about the motorcycle and the articles snatched and the accused persons responded that they will deliver the motorcycle and the snatched articles to the police station.

C- 940



By: *[Signature]*  
Advocate  
Date: *[Blank]*

**In the Court of the LD.**

**at Alipurduar**

Complaint Case No. 10 Cr2020

IN THE MATTER OF:  
Uttam Sutradhar  
S/o Late Jogeshwar Sutradhar  
of Village Chhoto Salkumar  
P.S. Falakata,  
Dist. Alipurduar

..... Complainant

Received at PS on 09.03.2021 at 11:00 AM  
vide G.O. no. 27 and started Falakata  
PS. case no. 58/21 dt. 01.03.21 U/P  
741/352/504/511 etc.

*[Signature]*  
Inspector in charge  
Falakata Police Station  
Dist. Alipurduar

**Versus**

1. Saifkul Islam  
S/o Khan Ali  
2. Rafikul Islam  
S/o Khan Ali  
Both residents of:  
Village Dulal Dokan  
P.S. Falakata,  
Dist. Alipurduar

..... Accused Persons

COMPLAINT UNDER SECTION 156(3) OF THE CODE OF CRIMINAL PROCEDURE,  
1973 FOR REGISTRATION OF FIRST INFORMATION REPORT UNDER SECTIONS  
341/356/306 AND 511 OF THE INDIAN PENAL CODE, 1872.

The complainant most respectfully sheweth:

1. That the complainant is a law abiding citizen of India. The complainant is a permanent resident of the above mentioned address and is a farmer and also L.I.C Agent by profession to sustain his livelihood.
2. That the complainant is appearing before this LD. Court as a person not only affected of his personal liberty but also being subjected to assault on his life and limb and forceful seizing of his cash and belongings.
3. That the accused persons are permanent residents of the afore mentioned address and are known persons in the locality of the incident.

