

FIRST INFORMATION REPORT

3825

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

1. District Alipindhar Sub-Divn Taigam P.S. Falakata Year 2022 FIR No. 424/1 Date 20-07-22
2. i) Act IPC Sections 406/420 ii) Act ✓ Sections ✓
- iii) Act ✓ Sections ✓ iv) Other Acts & Sections ✓
3. a) General Diary Reference Entry No. 859 Time 11:05 hrs
- b) Occurrence of Offence: Day Friday Date 20.05.22 Time ✓
- (c) Information of Offence: Day Wednesday Date 20.07.22 Time 11:05 hrs
- G.D. No. 859 at the Police Station
4. Type of information: Written Oral Written
5. Place of Occurrence: (a) Direction and Distance from P.S. Approx 20 km - North-East
- (b) Address Algaon Bashi, Jateswar, P.S. Falakata
Dist. Alipindhar Beat No. ✓
- (c) In case outside limit of this Police Station, then the name of
P.S. ✓ District ✓
6. Complaint / Information:
- (a) Name Barat Roy @ Barit Ch. Barman
- (b) Father's/Husband's Name At. Tukun Barman @ Tukun Roy
- (c) Date/Year of Birth ✓
- (d) Nationality Indian
- (e) Address Algaon Bashi, Jateswar, P.S. Falakata, Dist. Alipindhar
7. Details of Know/suspected/unknown/accused with full particulars @ Dilip K. Aich s/o - At. Ram Lal Aich @ Hedayetnagar
(attach separate sheets, if necessary)
8. Reasons for delay in reporting by the Complainant/informant Jateswar, P.S. Falakata, Dist. Alipindhar
9. Particulars of properties stolen/involved: (Attach separate sheets, if required)
Rs. 119310/-
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 of the complainant which is treated as F.I.R. is enclosed herewith is reproduced verbatim
13. Action taken: Since the above report reveals commission of offence(s) is

registered the case and took up investigation/directed

SI Upal - Narasingh

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

Cons. Complaint

Signature of the Officer-in-Charge, Police Station

Name

Anwarul Hossain

Rank

SI of Police / PW P.S. AD

Number, if any

20.07.22

IN THE COURT OF THE J.D. A. CL. M. AT ALIPUR

IN CASE NO. 12 of 2022

On 20.07.22

By: Anwar Sayid & Pawan Chandra Barman
S/O. Tukur Barman & Tukur Barman
Resident of Vill. Dalgaoon Bary

By: J. J. Barman,
P.S. Palakata,
Dist. Alipurdwar,
Pin- 735211

Accused Person

By: Anwar Sayid
S/O. Late Pawan Chandra Barman
Resident of Vill. Dalgaoon Bary
P.S. Palakata,
Dist. Alipurdwar,
Pin- 735211


WITNESSES

1. Sri. Raj Kumar Barman,
S/O. Anwar Barman,
Resident of Vill. Dalgaoon Bary,
P.O. Jaleswar,
P.S. Palakata,
Dist. Alipurdwar,
Pin- 735211

2. Sri. Paleshwar Barman,
S/O. Late Hemanta Barman,
Resident of Vill. Dalgaoon Bary,
P.O. Jaleswar,
P.S. Palakata,
Dist. Alipurdwar,
Pin- 735211

& others.

Received on 23.07.22 vide UDE No. 557 and dated Palakata P.S. Case No. 424/22, date 20.07.22 u/s 406/420 IPC


20.07.22
Inspector In Charge
Palakata Police Station
Dist. Alipurdwar

Place of Occurrence: Mouza: Dalgaoon, P.S. Palakata, Dist. Alipurdwar, Pin 735211

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1. That the complainant an aged person who is aged about 79 years and is permanent inhabitant of Dalgam Busty, P.S: Falakata, Dist: Alipurdwar.
2. That the complainant is the owner and possessor of 47 decimals of land which includes the schedule land mentioned hereunder.
3. That due to some financial crisis the complainant on 20.05.2022 sold his below mentioned 25 decimals of land to the above named accused person vide deed no. 1470 of 2022 and the consideration value of the land was fixed at the tune of Rs. 1,19,340/- only. *Due to typographical mistake the date of sale has been mistakenly mentioned in FIR as 10-5-22 in place of 20-05-2022.*
4. That the accused person is also the inhabitant of the above mentioned address. That at the time of executing of the sale deed the accused person informed the complainant that the accused person has deposited money in the bank account of the complainant through NEFT, being a simple minded person the complainant believed the accused person and gave the registration but when the complainant checked his bank account no money was deposited in the account of the complainant till date.
5. That in the said sale deed it has been mentioned that the agreed value of the land has been paid by the accused to the complainant through NEFT. It is pertinent to mention here that the complainant has his Bank Account under Central Bank of India, Jateshwar Branch vide A/c no. 3965153164.
6. That when the complainant updated his Passbook of his said Bank Account it was found that no such amount for the land he sold to the accused has been deposited in his account. Even after lapse of 27 days there from not a single penny have been deposited by the accused in the bank account of the complainant.

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7. That when the complainant informed the matter of nonpayment to the accused, the accused avoided the same and gave unreasonable excuses and subsequently he started threatening the complainant by saying that "Do as you wish, I will not pay you any money" in presence of the witnesses.
8. That thereafter the complainant informed all the matter and lodged a written complaint with the Inspector in charge at Falakata P.S. through the O/C (ateshwar) Out Post but the received copy of the complaint was not given to the complainant and the reasons best known to the concerned P.S. finding no other alternative the complainant again on 23.06.2022 lodged a written complaint before the concerned P.S. and the same was sent through registered post with A/D card. Moreover the copy of the said written complaint dated 23.06.2022 was sent to i) The District Magistrate, Alipurdwar, ii) The S.P. Alipurdwar and iii) The Sub-Registrar, Falakata and all the copies have been duly served upon all the addressee. In spite of receiving the complaint no action had been taken against the accused person.
9. That the accused person willfully cheated the aged complainant dishonestly with fraudulent intention taking advantage of his innocence and as the recovery of the consideration amount or possession of the schedule land in favour of the complainant by cancellation of the impugned sale deed is involved therefore it is highly necessary to investigate the instant case by the police authority otherwise the complainant will suffer irreparable loss and injury.
10. That the instant petition of complaint may be sent to the I/C Falakata P.S. with a direction to treat the petition as F.I.R. and register the same and to start investigation and after completion of investigation to submit Charge sheet.
11. That the complainant, accused person and the witnesses are the permanent inhabitant of the above mentioned address which is under the territorial jurisdiction of this Ld. Court, hence the Ld. Court has ample power to try this case.
12. That as the complainant submitted written complaint before the concerned authorities and waited for their action against the accused, hence delay of lodging this instant complaint.

13. That the accused person committed the offence under the above mentioned section of the I.P.C. of which the cognizance may be taken by this court.

14. The witnesses will prove the case in favour of the complainant.

SCHEDULE LAND

Land measuring 25 decimals under mouza Dalgaon, P.S. Falakata Dist. Alipurduar (erstwhile Jalpaiguri) pertaining to Khatian No. 52/04, J.L. No. 34, L.R. Dag No. 1717.

Accordingly, it is prayed that Your Honour would graciously be pleased to pass an order of sending the instant complaint to the I/C Falakata P.S. U/S 156(3) of Cr.P.C. directing the I/C to treat the same as an F.I.R. under the aforesaid section or sections and to investigate the matter.

OR

Pass such other order or orders as Your Honour may deem fit and proper.

Drafted at my chamber as per the instructions of the complainant and read over and explained to him in his mother tongue



Advocate

16 JUL 2022

Alipurduar Court

Enclosure:

1. Photocopy of Complaint dated 23.06.2022
2. Photocopy of 4 nos. of Postal Receipts
3. Photocopy 3 nos. of A/D which has been returned
4. Photocopy of Account Statement
5. Photocopy of Registered Sale Deed

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16/7/22

IN THE COURT OF THE LD. A.C.J.M II AT ALIPURDUAR

CR CASE NO. _____ of 2022.

Pravat Roy @Pravat Chandra Barman

...Complainant

Versus

Dilip Kumar Aich

...Accused person

AFFIDAVIT

I, Sri. Pravat Roy @Pravat Chandra Barman aged about 79 year, S/O Late Tukur Barman @Tukur Roy Resident of Vill- Daigpon Banty, P.O. Jateshwar, P.S. Falakata, Dist- Alipurdour, Pin- 735211 by faith Hindu, by occupation unemployed, do hereby solemnly affirm and declare as follows:-

1. That I am the complainant of the above mention complaint case.
- 2) That I am well conversant with a facts and circumstances of the above case
- 3) That the content of the foregoing paragraphs of the above case are all true to best of my knowledge and rest are my submission before the LD Court.

VERIFICATION

I do hereby sign this affidavit on this 16th day of July, 2022 at Alipurdour Court premises

Identified by me

[Signature]

Advocate 12.08.2022
Alipurdour Court

[Signature]
16.7.22
16-7-22