

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

1. District Purbasanchal Sub-Divn. Contae P.S. Khejuri Year 2017 FIR No. 52/17 Date 02.03.17
2. i) Act IPC Section 120B/325/331/308/34/114/115/506 Sections
2. ii) Act Section iv) Other Act & Sections
3. a) General Diary Reference: Entry No. 46 of 02.03.2017 Time at 22:15
- b) Occurrence of Offence: Day wednesday Date 6/6/16 Time at about 15:15 hr
- c) Information received Date 02.03.2017 Time at 22:15 hr
- G.D. No. 46 at the Police Station:
4. Type of Information: Written / Oral Court complaint of Id. A.C.M. Sealdah Sd. C/case no 177/16
5. Place of Occurrence a) Direction and Distance from P.S. In front of S.B. Baratala Branch / Baratala
- b) Address Vill - Baratala, P.O. - 29, G.P. - 29, Block - 29, P.S. - Khejuri, Dist. - Purbasanchal
- c) In cash outside limit of this Police Station, then the name of P.S. District
6. Complaint/Informant:
 - a) Name Mrs. Leuli Jana
 - b) Father's / Husband's Name Atanu Jana
 - c) Date/Year of Birth
 - d) Nationality Indian
 - e) Address Vill. - P.O. - Saranchar, P.S. - Khejuri, Dist. - Purbasanchal
7. Details Known/Suspected/Unknown/Accused with full particulars (Attach separate sheet, if necessary)
 1. Mr. Purbasanchal Mandal
310 Rashidhara Mandal
Vill. - Raonchar, P.S. - Khejuri
Dist. - Purbasanchal
 2. Mr. Debodan Agarwal
310 Rashidhara Mandal
State Head of Zero Mera Panna
and Savings Support Foundation
287A B.P. Chattopadhyay Road
P.S. - Keshba, Kolkata - 700022
8. Reasons for delay in reporting by the Complaint/Informant
9. Particular of properties stolen / involved: (Attach separate sheet, if required): 310 Rashidhara Mandal
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 Court complaint of the Complaint forwarded by Id. A.C.M. Sealdah Sd. C/case no 177/16 through Id. A.C.M. Contae vide 03.03.17 which is treated as FIR is attached herewith.
13. Action taken: Since the above report reveals commission of offence (s) w/s 120B/325/331/308/34/114/115/506 IPC

register the case and take up the investigation/directed Sd. Joygopal Barai to take up the investigation transferred to P.S. Khejuri on point of jurisdiction FIR read over to the Complaint / informant. admitted to be correctly recorded and given to the Complainant/Informant free of cost.

Enclosed Court petition -

Signature / Thumb Impression of the Complainant / Informant

Signature of the Office-in-charge, Police Station with Name B.L. Das D.O.
Rank 3.1 O.P. POLICE
Number, if any KHEJURI P.S.

dt - 02-03-17

Officer-in-Charge,
Khejuri P.S.
Dist. - Purbasanchal



05/63

Seuli Jana
through
Indipta Nandy
Advocate

In The Court of The Learned Addl. Chief Judicial Magistrate at Sealdah, Kolkata

Ref.: ~~100~~ Case no. 177 of 2016.

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P.S. Entally, Kolkata

Received on 02.02.17 at 02.15h
and started phere P.S.
case no. 58/17 at 02.12
u/s 100B/305/308/34/114/
45/506(II) Ipe
Bibhu D. C.
s/o Khejuri P.S.
02.03

Officer-in-Charge
Khejuri P.S.
Dist. Purba Medinipur



1656/2016
0177/2016



In the matter of:

A.G.J.M.

Sealdah, 24 Pgs. (5)

An application u/sec. 156(3) Cr.P.C., 1973 for directing the Officer-in-Charge, Entally P.S. 12, Convent Road, Kolkata - 700014 to start investigation by treating the instant complaint as a F.I.R.

AND

In the matter of:

Mrs. Seuli Jana, w/o Sri Atanu Jana, permanent resident of village & P.O. Serkhanchak, P.S. Khejuri, Dist. Purba Medinipur, PIN: 721434, presently residing at C/o Mr. Swapan Maikao, 124C, Lenin Sarani, 2nd floor, Kolkata - 700 013.

..... Complainant /Petitioner.

-Versus-

1. Mr. Pushpendu Mondal, s/o Mr. Rash Behari Mondal, resident of Village & P.O. Ramchak, P.S. Khejuri, Purba Medinipur - 721431;
2. Mr. Devendra Agarwal, s/o not known, State Head of Zero Micro Finance and Savings Support Foundation, 289-A, B. B. Chatterjee Road, P.S. Kashba, Kolkata - 700042.

..... The Accused Persons.

Offences committed: u/sec. 120-B / 325/ 331 / 308 / 34 / 114 / 115 / 506(II) of I.P.C.

Date of occurrence: 06.04.2016 and 14.04.2016

15 APR 2016



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A.G.J.M.
Sealdah, 24Pgs. (S)
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sent through
Indigo Van
Advocate

Place of occurrence: Outside of State Bank of India, Baratala Branch, Baratala, P.S. Khejuri, Purba Medinipur, and thereafter (2) at Bamunchak, P.S. Khejuri, Purba Medinipur, and lastly (3) at N. R. S. Hospital, P.S. Entally, Sealdah, Kolkata.

The above-named complainant most respectfully states as follows:

1. That the above named complainant is a young entrepreneur who runs a Customer Service Point (CSP) of State Bank of India at Serkhanchak, through link branch SBI, Baratala, Purba Medinipur, under the authorized SBI Business Correspondent (BC) named Zero Micro Finance and Savings Support Foundation (hereinafter 'ZMFSSF'), having its registered office at 289-A, B.B. Chatterjee Road, Near Kasba Post Office, P.S. Kasba, Kolkata - 700042.
2. That the husband of your petitioner named Mr. Atanu Jana also works in the said CSP of your petitioner as a Sub-kio Operator.
3. That the accused no. 1 is working as the District Head of Purba Medinipur of ZMFSSF and the accused no. 2 is working as the State Head of West Bengal of ZMFSSF.
4. That your petitioner joined All Bengal SBI CSP Operator Association (hereinafter "the said union"), a registered trade union affiliated by Indian National Trade Union Congress (INTUC) in April 2015 as a member and immediately after that the accused persons are pressurizing your petitioner to withdraw her membership from the said trade union alleging that the said union was working against all SBI authorized Business Correspondents in West Bengal. The accused persons also threatened your petitioner and her husband to terminate their CSP code if they do not withdraw their names from the said union. But your petitioner and her husband bravely refused to do so by saying that forming a trade union or becoming a member of a registered trade union is their democratic and fundamental right which cannot be infringed by anyone. However, the matter was immediately informed by your petitioner and her husband to the President of the said union.

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5. That being aggrieved upon your petitioner and her husband due to their refusal to withdraw their names from the said union, the accused no. 1 started creating various problems in smooth operation of the CSP of your petitioner since July 2015. Thereafter, when your petitioner under guidance of the said union, demanded transparency in their business accounts and also raised some lawful questions related to their business commission then most arbitrarily and suddenly the accused no. 2 has blocked the CSP Code of your petitioner on 19.03.2016 without any prior intimation to her. As a result, the bona fide SBI customers were deprived from usual banking service on that very day. Your petitioner managed the situation somehow on the day but later she come to the know that nine (9) other CSP codes were also blocked by the accused no. 2 in different areas in the same way to teach good lessons to the arrogant CSP Operators after receiving a confidential adverse reports from the accused no. 1. While the accused persons were tried to contact over phone they avoided to attend the calls of your petitioner and her husband. So, since 20.03.2016 big chaos and agitation started at the CSP of your petitioner by the SBI customers/account holders. Some of them suspected that the CSP of State Bank of India was a kind of cheat fund point like Shardha, Rosevalley, MPS, Pailan, etc. and expressed their panic apprehending loss of their savings and deposits in bank.

6. That your petitioner met with the accused no. 1 at his residence to resolve the problem through discussion and amicable settlement in a few occasions but the accused no. 1 always avoided your petitioner by saying that he has no role in the blockage of CSP codes but the accused no. 2 has blocked some CSP codes of the arrogant CSP operators who did not follow the instructions given to them by the accused persons. However, the accused no. 1 finally declared that there was only one possibility to reactivate the blocked CSP code provided the operators, including your petitioner, give written apology letter to the accused no. 2 with undertaking that they would not form or to be a part of any trade union and shall not do anything detrimental to the interest of ZMFSSF. So, the union served a legal notice upon the ZMFSSF on behalf of the operators the CSP codes of whom were blocked by the accused no. 2.

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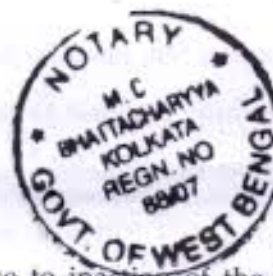
7. That on 06.04.2016 at about 3.15 p.m. the husband of your petitioner was going to the link branch SBI, Baratala Branch riding on his motorcycle but near the branch he was forcefully stopped by the accused no. 1 and some other unknown people. The Accused no. 1 demanded for some official documents from the husband of your petitioner which he refused to give. Therefore, the accused no. 1 and his men voluntarily assaulted him without any provocation and caused hurt for the purpose of extorting a letter of apology to ZMFSSF and some official documents of ZMFSSF and also of gathering information of the said trade union about its next action plan.

8. That being seriously assaulted by the accused no. 1 and his mussel men the husband of your petitioner somehow managed to run away from that spot with his motorcycle but the accused no. 1 and his men chased him by a white colour Tata Sumo car. The accused no. 1 was sitting in the front seat by the side of the driver and was talking with someone over his mobile phone. At Bamunchak (distance about 1 Km. from Baratala) the accused no. 1 instructed the Sumo driver intentionally to hit the motorcycle of the husband of your petitioner from the back so that he gets such bodily injury as is likely to cause death.

9. That as a result of the collision, the husband of your petitioner lost control over his motorcycle and sustained various bodily injuries and immediately became senseless. Thereafter, he was taken to the nearest health centre by the local people but finally shifted to and admitted at N.R.S. Hospital, Sealdah on 07.04.2016 vide I.P.C. No. 1786. A photocopy of the injury report is enclosed herein and marked as 'Annexure - 1'.

10. That your petitioner got information about the fake accident of her husband quite after some time but she has already submitted a written complaint to the Officer-in-charge of Entally Police Station on 08.04.2016 which is received with acknowledgement by the Duty Officer at Entally Police Station but till now no FIR is registered by the police. A photocopy of the said written complaint of your petitioner is enclosed herein and marked as 'Annexure - 2'.

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11. That being aggrieved due to inaction of the Entally P.S. your petitioner further made a written complaint to the Deputy Commissioner of Police, Eastern Suburban Division on 09.04.2016 for giving necessary direction to the Officer-in-charge of Entally Police Station for the ends of justice. But in spite of that no investigation is started yet by the police though on 10.04.2016 your petitioner was called by the Entally Police at night and the duty officer told her that they have forwarded her complaint to Khejuri Police Station for lodging FIR if they think that proper after necessary investigation. A photocopy of the said complaint of your petitioner is enclosed herein and marked as 'Annexure - 3'.

12. That your petitioner has also sent a complaint to the Superintendent of Police, Purba Medinipur by registered post on 11.04.2016 which is received by his office on 1 .04.2016 and the photocopy of the said complaint to the Superintendent of Police along with the postal receipt and India Post Track Record (available in website) are enclosed herein and all are collectively marked as 'Annexure - 4'.

13. That lastly on 14.04.2016 at about 4 p.m. your petitioner was stopped by a lady near the Emergency Gate of N.R. S. Hospital when she was going to see her husband. That unknown lady took your petitioner to the accused no. 2 who was standing nearby. The accused no. 2 asked about the condition of the victim and your petitioner told him that her husband is now suffering in life and death condition due to them. The accused no. 2 smiled and told your petitioner very softly and gently that they only wanted to give a final warning to your petitioner by hurting her husband but they had no real intention to murder him. He further added that if your petitioner does not surrender before them in that case the accident would be fatal and perhaps there would be no scope for survival. He also told that no police would do or able to do anything against them because they belong to a very big national level company having its unholy nexus with the top level management of State Bank of India, leading politicians, ministers, administrators and executives of India. Lastly, the accused no. 2 gently advised your petitioner to withdraw her complaint from the police stations and to act under his instruction to start up her CSP by reactivating the CSP code at the

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Sealdah, 24/04/16
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earliest. The appearance of the accused no. 2 at the hospital and his gentle but cold blooded threatening was so sudden, shocking, surprising and shivering that your petitioner could neither say anything or protest, nor raise any alarm for help of others. Thereafter, your petitioner came to the ward where her husband is admitted but she told him nothing about it because he is already highly traumatized after the unsuccessful attempt to murder him or the attempt to culpable homicide by the accused no. 1 with criminal conspiracy with the accused no. 2 and others. However, your petitioner is passing her days in anxiety and fear of death and she has no relatives or friends in Kolkata to help her. The present condition of the husband of your petitioner is not yet well and the doctors are not agree to release him in his present condition.

14. That there are various reasons to believe by your petitioner that the incident of 06.04.2016 was a result of pre-planned criminal conspiracy and an attempt of culpable homicide not amounting to murder was knowingly made by the accused no. 1 and his companions with common intention but the accused no. 2 instigated or abetted them remaining himself behind the screen.

15. That your petitioner, therefore, repeatedly request the Officer-in-charge of Entally Police Station, the Dy. Commissioner of Police, Eastern Suburban Division, the Superintendent of Police, Purba Medinipur (by letter) to lodge a FIR before starting investigation but unfortunate seven (7) days have already passed away by no FIR is lodged either at Entally Police Station nor at Khejuri Police Station for taking necessary action against the accused persons. As the condition of the husband of your petitioner is very serious, written request was made by her to arrange for recording a judicial statement of her victim husband by a Judicial Magistrate under sec. 164 Cr.P.C. so that the document may be used as a piece of evidence against the accused persons if the victim husband of your petitioner ultimately succumb during treatment or later but nothing is done till this date to deny justice to your petitioner for which she is entitled by the law of the land.

16. That the accused persons are very notorious and influential people who are moving freely and threatening witnesses and tampering evidence even after

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Sealdah, 24/04/16

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committing serious cognizable and non-bailable offences under Sections 120-B / 325/ 331 / 308 / 34 / 114 / 115 / 506(II) of I.P.C. and there is every possibility to commit more and further offences by the accused persons if necessary action and precautionary measures are not taken by the police immediately.

17. Under these circumstances, it shall be appropriate and reasonable for the Ld. Court to direct the Officer-in-Charge, Entally P.S. to start investigation immediately by treating the instant complaint as a F.I.R. because though the first incident took place at Baratala and subsequently at Bamunchak on 06.04.2016 both under Khejuri P.S. but the last incident of threatening by the accused no. 2 took place at Sealdah on 14.04.2016 which is under jurisdiction of Entally P.S.

18. That after compliance of Sec. 154 Cr.P.C. this application is made *bona fide* for the ends of justice and no other case is initiated by your petitioner till this date.

In the premises aforesaid, your petitioner most humbly prays that Your Honour may graciously be pleased to take cognizance and to issue a direction or order to the Officer-in-Charge, Entally P.S.:



- a) To start investigation immediately by treating the instant complaint as a F.I.R.
- b) To arrange for recording the confidential statement of the victim Sri Atanu Jana by a Judicial Magistrate u/sec. 164 Cr.P.C.
- c) To ensure safety and security of your petitioner and her injured husband,

AND

- d) Any such other or further order or orders as Your Honour may deem fit and proper.

And for this act of kindness your petitioner, as in duty bound, shall ever pray.

Dated: 15.04.2016

Place: Sealdah Court.

Seuli Jana

(Smt. Seuli Jana)

Complainant

15 APR 2016

AFFIDAVIT

A.G.J.M.

Sealdah, 24 Pgs. (6)

28/04/16

I, Mrs. Seuli Jana, wife of Sri Atanu Jana, aged about ____ years, by faith Hindu, by occupation SBI Agent/business, nationality Indian, permanently reside at village & P.O. Serkhanchak, P.S. Khejuri, Dist. Purba Medinipur, PIN: 721434, presently residing at C/o Mr. Swapan Maikao, 124C, Lenin Sarani, 2nd floor, Kolkata -700 013 do hereby solemnly affirm and declare as follows:

1. That I have filed a complaint being aggrieved by inaction of Entally P.S. after compliance of all formalities as laid down in Section 154 Cr. P.C. for the ends of justice and the complaint is made *bona fide*.
2. That I am the wife of the victim Sri Atanu Jana and I am well acquainted with the facts and circumstances of the instant case.
3. That the photocopies enclosed with the complaint as annexure are all true copies and legible and the statements made in the complaints are all a part of this affidavit but those statements are not repeated in this affidavit for the paucity of space.
4. That all statements made in paragraph nos. 1 to 14 of the complaint are all true and correct to the best of my knowledge and the statements made in paragraph nos. 15 and 18 of the complaint are my humble submission before the Ld. Court for the ends of justice and all are parts of this affidavit but not repeated herein for brevity.
5. That all statements made in the above paragraphs are true and correct to the best of my knowledge and nothing material fact is concealed by me for the ends of justice.

Dated: 15.04.2016

Place: Sealdah Court.

Filed through:

Sudipto Nandy

Sudipto Nandy, Advocate, High Court

Solemnly Affirmed &
Declared Before me
on Identification

cal
C. BHATTACHARYA
NOTARY
Regn No. 8847

15 APR 2016

Seuli Jana

(Smt. Seuli Jana)

Deponent.

Identified by me.

Sudipto Nandy

*Advocate
High Court, Cal.*