



# FIRST INFORMATION REPORT

1592

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

at Purulia Sub Divn. Mambazari PS Bandman Year 2017 FIR No. 42/17 Date 11/08/2017

Act I.P.C. Sections 406/409/420(I)(a) Act Sections

Act Sections iv) Other acts & Sections

General Diary Reference: Entry No. 398 Time 11:35hr

Occurrence of Offence: Day Thursday Date 08/09/2016 Time

Information received Date 08/09/2016 Time 11:35hr G.D. No. 398 at the P.S.

Type of Information: Written/Oral Typed (written)

Place of Occurrence: a) Direction and Distance from P.S. East side of ps. distance approx - 300 mtr.

Address vill - Bandman, P.S. - Bandman, Dist - Purulia.

Beat No. TL No. 22, Anehal - Bandman.

In case outside limit of this Police Station, then the name of P. S. District

Complainant / Informant:

Name: Nilay Agarwal

Father's / Husband's Name Madhurudan Agarwal

Date / Year of birth d) Nationality Indian

Address vill - Bandman, P.S. - Bandman, Dist - Purulia.

Details of known/suspected/unknown/associated with full particulars

(Attach separate sheet, if necessary):

Thomas Cook India Ltd  
Office at - P.T.I building 6th floor,  
Block - D.P, Flat No-9,  
Salt Lake, Sector - V  
Kolkata - 91

Reason for delay in reporting by the complainant/informant

Particulars of properties stolen/involved: (Attach separate sheet, if required):

Total value of properties stolen/involved:

Investigation/Case no., if any

Remarks (Attach separate sheets, if required): The original written (typed) Complainant which is treated as FIR is attached herewith

Officer-in-Charge  
BANDWAN P.S.  
Purulia

Action taken: Since the above report reveals commission of offence(s) u/s 406/409/420 I.P.C.

Registered the case and took up the investigation/directed S.I. Nagendra Nath Das to take up the

investigation/referred to P.S. Bandman P.S. on point of jurisdiction. FIR read over to

Complainant/informant, admitted to be correctly recorded and a copy given to the Complainant/informant free of cost.

Rajat Choudhary  
Signature of the Officer-in-Charge  
Date 11/08/2017

Name: RAJAT CHOUDHARY

Rank: SUB-INSPECTOR

Number if any

Nilay Agarwal  
Signature/Thumb impression of  
Complainant/Informant



Officer In-Charge,  
Bandwan Police Station  
Dist-Purulia  
State-West Bengal

Sir,

With due respect I, Sri Nilay Agarwal S/O-Madhusudan Agarwal resident of Bandwan, P.O+P.S-Bandwan, Dist-Purulia, West Bengal like to lodge a F.I.R against the THOMAS COOK (INDIA) LTD. PTI BUILDING 06<sup>TH</sup> FLOOR, BLOCK-DP, FLAT NO-9, SALLAKE, SECTOR-V having their offices Kolkata for favour of your information and necessary action.

1. That on the first week of September, 2016 my wife namely Mrs. Khusboo Agarwal made contact with Mr. Saheen Bhagwan (one of the travel agent) of Thomas Cook (India) Ltd. through mobile No. 9083313564 to organize and book a tour programme for six members of our family namely, Niranjana Kumar Agarwal, Renu Agarwal, Madhusudan Agarwal, Rashmi Agarwal, Bimal Agarwal and Sanjana Agarwal in respect of Singapore tour package from 25<sup>th</sup> September to 30<sup>th</sup> September, 2016 with the said tour and travel company i.e Thomas Cook (India) Ltd.

2. That the said authorized agent on behalf of Thomas Cook (India) Ltd. Through the website of the company, i.e [www.thomascook.in](http://www.thomascook.in), forwarded an email on 8<sup>th</sup> September, 2016 as well as by telephonic message and calls, offered total tour package cost for us at Rs- 4,80,935=00 (Four lakh eighty thousand nine hundred thirty five rupees) and finally after negotiating the total tour package cost was finalized to Rs-4,74,235=00 (Four lakh seventy four thousand two hundred and thirty five rupees) and provided us a file No. F160012968, on the same day i.e on 8<sup>th</sup> of September, Mrs Khusboo Agarwal agreed to make the advance payment relating to the tour package and communicated to the said company agent that the payment will be made by one to our close family friend, namely Mr. Amit Kumar Singhania. On receiving such confirmation the authorized agent of the said company made contact with Mr. Amit Kumar Singhania and through e-mail send him the detail links for making the payment. On receiving the details, Mrs Amit Kumar Singhania on 8<sup>th</sup> September, 2016 paid Rs-60,000=00 (Sixty thousand rupees) through internet banking via Axis Bank Card No. 4514560003495185, via A/C-914010056296364 to the link as provided by the authorized agent of the said company in favour of THOMAS COOK INIDA LTD. MUMBAI.

3. That on 12<sup>th</sup> of September, 2016 there was also an email from Mr. Shaheen Bagwan (Travel Expert, Agent), Mumbai office, through the email i.d, i.e [shaheen.bagwan@thomascook](mailto:shaheen.bagwan@thomascook), to Mrs Khusboo Agarwal (my wife) and requested her that by 13<sup>th</sup> of September 2016 within 12:00 PM to make the further payement regarding the tour package. On 13 the September 2016 Mr. Amit Kumar Singhania again

paid Rs- 40,000=00 (Forty thousand rupees) through internet banking via Axis bank card No. 4514560003495185, via A/C No. 914010056296364 and paid Rs-60,000=00 (Sixty thousand rupees) via net banking from ICICI Bank via A/C No. 085801510770 transaction particulars being BIL/001041330399/hy/1001374724 to the link as provided by the authorized agent of the said company in favour of THOMAS COOK INIDA LTD. MUMBAI. On 14<sup>th</sup> of September, 2016 Mr Amit Kumar Singhania again paid 80,053=00 (Eighty thousand and fifty three rupees) via net banking from ICICI Bank via A/C No. 085801510770 transaction particulars being BIL/001041954560/hy/1001375402 and on 15<sup>th</sup> of September, 2016 Mr. Amit Kumar Singhania again paid Rs- 3,732=00 (three thousand seven hundred and thirty two rupees) via Net Banking from ICICI Bank via A/C No. 085801510770 transaction particular being BIL/001042420440/hy/1001375796.

4. That upon the payment of Rs-2,43,785=00 (Two lakh forty three thousand seven hundred and eighty five rupees) i.e more than 50% of the total package cost the tour was confirmed from your side for 25<sup>th</sup> Sep. 2016. We also sent to the company at the address THOMAS COOK (INDIA) LTD. PTI BUILDING 06<sup>TH</sup> FLOOR, BLOCK-DP, FLAT NO-9, SALT LAKE, SECTOR-V, all the required documents asked by the company. But due to some problem from the side of the company as regard to visa approval process the said company requested Mrs. Khusboo Agarwal to postpone the tour date (i.e from 25<sup>th</sup> Sep-30<sup>th</sup> Sep, 2016) to a different date. On hearing so Mrs. Khusboo Agarwal and Mr. Amit Kumar Singhania several time made contact to the said company through e-mail as well as over the telephone but there was no proper response and communication received from the said company regarding such queries.

5. That letter on Mrs. Khusboo Agarwal after receiving an e-mail from the company finalized the tour date to 5<sup>th</sup> November to 10<sup>th</sup> November, 2016. The said company, i.e. THOMAS COOK INDIA LTD., through one of their agent (Mr. Shaheen Bagwan) and from the company's website i.e [shaheen.bagwan@thoascook.in](mailto:shaheen.bagwan@thoascook.in), forwarded an email dated on 30<sup>th</sup> of September, 2016 to Mrs. Khusboo Agarwal, a revised quote as regarding the date with tour schedule where in it was found that the date mentioned earlier, i.e 5<sup>th</sup> Nov to 10<sup>th</sup> Nov, 2016 was changed to 9<sup>th</sup> Nov to 14<sup>th</sup> Nov, 2016 as well as there was change in the venue / places to be visited of such tour.

6. That upon being confirmed with the postpone dates from 25<sup>th</sup> Sep to 30<sup>th</sup> Sep, 2016 to 9<sup>th</sup> of November to 14<sup>th</sup> November, 2016 and the changes in venue/places to be visited as per company request quote through its said agent. On 21<sup>st</sup> of October, 2016 one of your agent namely Srijita Chakraborty, through an email from [srijita.chakraborty@in.thomascook.com](mailto:srijita.chakraborty@in.thomascook.com), requested Mrs. Khusboo Agarwal to make the balance payment of Rs-2,52,792=00 (Two lakh fifty two thousand seven hundred and ninety two rupees) and also gave Mrs. Khusboo Agarwal the account details which is annexed with is letter below. It is required to be mentioned here that the initial total package cost after discount was Rs- 4,74,235=00 (Four lakh seventy four thousand two hundred and thirty five rupees) and Mr. Amit Kumar Singhania on our behalf have

already paid your company a sum of Rs- 2,43,785=00 (Two lakh forty three thousand seven hundred and eighty five rupees) hence the balance amounts of Rs-2,30,450=00(Two lakh thirty thousand four hundred and fifty rupees) as per the said company the difference in the balance of payment, i.e Rs-2,52,792 - Rs-2,30,450=22,342=00 (Twenty two thousand three hundred and forty two rupees) is for the visa approval process fee.

7. That on several times the said company's agent demanded to make the further balance payment of Rs-2,52,792=00 (Two lakh fifty two thousand seven hundred and ninety two rupees) so on 22<sup>nd</sup> October, 2016 Mrs. Khusboo Agarwal agreed to make the payments as soon as possible. Due to shortage of found in the accounts of Mr. Amit Kumar Singhanla such payment of Rs-2,52,792=00 could not be made on the next two days. On repeated demanding from the agents of the company as regard to the urgency in making the balance payment of Rs-2,52,792=00 for the confirmation of the tour programme. Mrs. Khusboo Agarwal requested the said company that the payments will be made by 25<sup>th</sup> October, 2016 to one of your above mentioned accounts. On 25<sup>th</sup> October, 2016 the balance payments of Rs-2,52,792=00 (Two lakh fifty two thousand seven hundred and ninety two rupees) was deposited in ICICI Bank, Purulia Branch to your ICICI Bank Account, as being provided, i.e 'THOMAS COOK INDIA LIMITED, CHOWRINGEE BRANCH' A/C No. 018705002912, IFSC Code- ICIC0000187.

8. That the full payment of the tour package of Rs-2,43,785.00 + Rs-2,52,792.00= Rs-4,96,577=00 (Four lakh ninety six thousand five hundred and seventy seven rupees) was made to the said company as the total tour package cost but on 25<sup>th</sup> Oct 2016 the company's said agent informed to Mrs Khusboo Agarwal that the cash payments are not acceptable. Mrs. Khusboo Agarwal then and tere tried to make contact with the said agent and asked the refund the amount of Rs-2,52,792=00 (Two lakh fifty two thousand seven hundred and ninety two rupees) which was deposited to the ICICI Bank Account, being 'THOMAS COOK INDIA LIMITED, CHOWRINGEE BRANCH' A/C No. 018705002912, IFSC Code- ICIC0000187 from ICICI Bank, Purulia Branch but the said company did care to refund the amount of Rs-2,52,792=00 (Two lakh fifty two thousand seven hundred and ninety two rupees), instead the said company told us, through its agent, to provide more documents and intentionally delayed the matter of refunding the said amount. Several times we made contact with the company but company shown negligence and disinterest in forfeiting the amount and conducting the four for the reasons best known to them and all of a sudden forwarded an e-mail stating 100% cancellation of tour.

9. That in this way the company i.e Thomas Cook (India) Ltd. Having its branch at P.T.I building 6<sup>th</sup> floor-D.P, flat No. 9, Salt Lake, Sector-5, Kolkata-91 (Kolkata branch) simultaneously cheated, also dishonestly and fraudulently induced us to deliver out money to the company's accounts in order to avail Singapore tour but the said company and their agents mentioned above in all occasions deferred the matter for non-supplying of documents though at the time of agreeing the contract all documents were supplied to the company but the company did not fulfill its contract and thereby

misappropriated the fund of Rs-4,96,577=00 (Four lakh ninety six thousand five hundred and seventy seven rupees) and under wrong impression firstly we were delayed and ultimately we have been cheated by the company and its authorized agents. Neither the company organized the tour nor made any arrangement for refunding the total amount of Rs-4, 96,577=00 (Four lakh ninety six thousand five hundred and seventy seven rupees).

We have contacted the company and its agents through e-mail on several times till dated 11/08/2017 finding no other alternatives I have to lodge this F.I.R against THOMAS COOK (INDIA) LTD. PTI BUILDING 06<sup>TH</sup> FLOOR, BLOCK-DP, FLAT NO-9, SALLAKE, SECTOR-V and their Kolkata based representatives and to bring them before the appropriate Court of law to stand for trial.

Date: - 11.08.17

Thanking you

*Nilay Agarwal* (Age-32)

NILAY AGARWAL  
S/O-Madhusudan Agarwal  
At-Bandwan, PO+PS-Bandwan  
Dist-Purulia

Received a typed written  
complaint and started  
Bandwan PS case no 92/17  
dt 11/08/17 u/s- 406/409/420/PC

