

# FIRST INFORMATION REPORT

602

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

1. Dist. Purulia Sub Divn. Jhalda P.S. Jhalda Year 2018 FIR No. 02/18 Date 8/1/18

2. i) Act IPC Sections 468/471/420/511 ii) Act Trade Mark Act '99 Sections 102/103/104

iii) Act Sections ..... iv) Other acts & Sections 63 Copy Right Act 1957

3. a) General Diary Reference : Entry No. 249 Time 16:15 hrs

b) Occurrence of Offence : Day As per Complain recently came to know about the illegal business but date and time Date not mentioned Time not mentioned

c) Information received Date 08/01/18 Time 16:15 hrs G.D. No. 249 at the P.S.

4. Type of Information : Written/Oral Written (Typed)

5. Place of Occurrence : a) Direction and Distance from P.S. ....

b) Address Some where at Jhalda in Purulia District, under Jhalda Police Station

Beat No. X District .....

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

6. Complainant / Informant :

a) Name Charu SK, Constituted Attorney, Jeet Biri Manufacturing Co. Private Limited.

b) Father's / Husband's Name Mahammad SK

c) Date / Year of birth 43 years d) Nationality Indian

e) Address Burning Ghat Road, Lalpur, Dhuliyon, Murshidabad, West Bengal

7. Details of known/suspected/unknown/accused with full particulars

(Attach separate sheet, if necessary) : Accused Persons -

Officials and employees of one Jeet Biri Works LLP of Jhalda and others.

8. Reasons for delay in reporting by the complainant/informant ..... X

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

10. Total value of properties stolen/involved : ..... X

11. Inquest report/U.D. Case no., if any : ..... X

12. FIR Contents : (Attach separate sheets, if required)

The original written (typed) complaint of the complainant which treated as FIR is attached here with.

SI  
8/1/18  
Jhalda P.S.  
Inspector-in-charge

13. Action taken : Since the above report reveals commission of offence(s) u/s 468/471/420/511 IPC, 102/103/104

Trade Mark Act 1999 and 63 Copy Right Act 1957.

As per direction of Dy:SP (DEB) Purulia SI Sajal Mishra of DEB, Purulia registered the case and took up the investigation/directed 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  
Charu SK

9647020833

Signature of the Officer-in-Charge Police Station with  
Name : Uttam Mandal Jhalda Police Station  
Rank : SI of Police Dist. Purulia  
Number if any Jhalda P.S. Dist. Purulia

The Inspector-in-Charge  
Jhalda Police Station.  
District Purulia  
West Bengal

Dated: January 8, 2018

Dear Sir,

**Re: Complaint against cheating public by selling fake biris**

This is a complaint lodged on behalf of Jeet Biri Manufacturing Co Private Limited having registered office at Dhuliyam Main Road, Dhuliyam, Pin - 742202, District: Murshidabad, West Bengal, represented by its constituted attorney Charu Sk, son of Mahammad Sk, aged about 43 years, residing at Burning Ghat Road, Lalpur, Dhuliyam, Murshidabad, West Bengal - 742202.

That the complainant is carrying on business of manufacturing and marketing of biris under the brand name JEET BIRI in customer packs as well as large retailer packs of which the complainant is the proprietor since at least the year 1998 through its predecessor-in-interest and since 2008 by itself after acquiring rights in the brand names JEET and JEET BIRI. The art works of the said packs are registered under the Copyright Act, 1957 which are also assigned in favour of the complainant. The complainant submits customer packs as well as retailer packs of biris sold by them under the brand name JEET BIRI. In this complaint the term complainant would include the predecessor-in-interest of the present complainant who has assigned its rights in favour of the complainant. The complainant will submit the assignment deeds, if necessary and/or make the same available for examination.

The complainant is a law abiding organization and the brand name JEET and the brand has acquired immense reputation in respect of biris by way of huge sales since 1999. The complainant is duly registered with the central excise authorities from its very inception since the year 2008 and its predecessor in interest was also duly registered with the Central Excise authorities since at least the year 1998. The retailer packs as well as the customer packs were duly approved by the Central Excise Authorities at the launch of the brand as well as from time to time when new variants of the packs have been launched in the market.

The complainant contributes a substantial amount of revenue to the Government in the form of Excise Duty and Goods and Services tax. Inasmuch as, the complainant provides substantial employment to the unorganized sector. Large amount of transporters and dealers are also benefited respectively by transporting and selling the products of the complainant. The complainant will submit documents pertaining to Central Excise, GST, EPF, Income tax when called for. The complainant undertakes that all the figures in the paragraph are true and correct.

The complainant through their market sources have recently come to know that somewhere at Jhalda in Purulia District, under Jhalda Police Station, officials and employees of one Jeet Biri Works LLP is engaged in manufacturing, selling and stocking fake biris in packets and pouches under the brand name JEET BIRI identical to the complainant's brand name and packs. The features of the accused person's customer packs including the brand name are identical to that of the complainant.

The biri packs sold by the accused persons are counterfeit of the complainant's product. The complainant submits customer packs as well as retailer's packs sold by the accused person under the trade mark JEET BIRI.

The imitation of the brand name has been done by the accused persons solely with the intention of cheating and deceiving the common people by selling biris of the accused persons as the biris manufactured by the complainant herein. The customers as well as the retailers being persons of imperfect recollection are bound to be confused into buying the fake biris of the accused as those of the complainant. The complainant's sales are at the risk of getting affected which would have devastating results in the context of the business as the stock of the complainant is kept hypothecated with Bank due

to loans and the illegal acts of the accused persons are bound to negatively influence the business of the complainant as well as their solvency.

Under the above circumstances you are requested to kindly take suitable legal steps in this regard against the culprit and investigate the matter as per law.

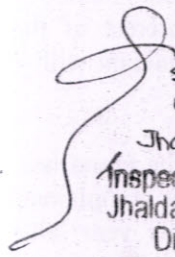
For Jeet Biri Manufacturing Co Private Limited

674 2513

Charu Sk  
Constituted Attorney

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Received on 8/01/18 at 16:15 hrs and  
started Jhalda PS case NO-02/18, Dtd-08/01/18.  
U/s - 468/471/420/511 IPC, 102/103/104 Trade  
Mark Act 1999, and 63 Copy Right Act 1957.

 SI  
08/01/18  
Jhalda PS  
Inspector-in-charge  
Jhalda Police Station  
Dist - Purulia