

FIRST INFORMATION REPORT

V-1 (M)

1627

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

1. District: Mysuru Sub Division: Mysuru P.S.: Mysuru Year: 2017 FIR No: 173/17 Date: 27/6/17
 2. Act: 1/c Sections: 406/409/420 Act: (M)
 3. a) General Diary Reference: Entry No. 1319 iv) Other acts & Sections

b) Occurrence of Offence: Day: March Date: 15.15.2017 Time: 15.35
 c) Information received Date: 27.6.2017 Date: 15.15.2017 Time: not entered
 4. Type of Information: Written/Oral Time: 15.35 G.D. No. 1319 at the P.S.

5. Place of Occurrence: a) Direction and Distance from P.S.: Approx 0.5 k.m. North from P.S.
 b) Address: Basumat, Hitech (Cement) Pvt. Ltd. Bangalore - 560001
 c) In case outside limit of this Police Station, then the name of P. S. Beat No. District

6. Complainant / Informant:
 a) Name: Manish Kr. Agarwal
 b) Father's / Husband's Name: Dr. Jyotish Kumar Agarwal
 c) Date / Year of birth: not stated
 d) Nationality: Indian
 e) Address: M/s Basumat Hitech (Cement) Pvt. Ltd. Bangalore - 560001

7. Details of known/suspected/unknown/accused with full particulars (Attach separate sheet, if necessary):

- 1) Mr. Anjan Ganguly, 95/1 & 96/1, Bharat Ch. Roy Rd, Po. Shammagar, K. Jagaddal Dist No. 15 24 pag.
- 2) Mr. Prabin Das, Nehru Market Po. Shammagar K. Jagaddal Dist No. 15 24 pag.
- 3) Mr. Souhain Roy, 135/B, Sundarapeta, Po. Kakinatea, K. Jagaddal Dist No. 15 24 pag.
- 4) Mr. Shankar Ganguly, 95/1 & 96/1, Bharat Ch. Roy Rd, Po. Shammagar, K. Jagaddal Dist No. 15 24 pag.
- 5) Mr. Tanu Roy, 135/B, Sundarapeta, Po. Kakinatea, K. Jagaddal Dist No. 15 24 pag.
- 6) M/s Basumat Hitech (Cement) Pvt. Ltd., 95/1 & 96/1, Bharat Ch. Roy Rd, Po. Shammagar, K. Jagaddal Dist No. 15 24 pag.
- 7) Mr. Raju Kumar, 135/B, Sundarapeta, Po. Kakinatea, K. Jagaddal Dist No. 15 24 pag.

8. Reasons for delay in reporting by the complainant/Informant: 1/c. Roy villa, Basumat (Hitech) Bangalore - 560001

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

10. Total value of properties stolen/involved:

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

12. FIR Contents: (Attach separate sheets, if required) Original written copy of this report is enclosed herewith

Handwritten signature and stamp:
 OTC DL 173/17
 Officer-in-Charge
 Mysuru (M) P.S.
 District - Mysuru

13. Action taken: Since the above report reveals commission of offence(s) u/s 406/409/420/506/507/34 K.

registered the case and took up the investigation/directed S. Deepa Bhat Chakraborty 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
Manish Kr. Agarwal
 Date: 27/6/17
 Officer-in-Charge
 Mysuru (M) P.S.
 District - Mysuru

Signature of the Officer-in-Charge, Police Station with Name: Sanjay Kr. Ramani
 Rank: SI of Police
 Number if any: not stated

DRNO 278/17



**BHARAT
CEMENT**
EVERSTRONG...LIFELONG

Date: 27.06.2017

To

The Officer-in-Charge
Purulia Police Station (Muffasal)
Purulia, West Bengal.

Sub: Complaint against

- (1) Mr. Anjan Ganguly, 95/1 & 96/1, Bharat Chandra Roy Path, P.O.-Shamnagar, P.S. - Jagaddal, Dist- North 24 Pgs,
 - (2) Mr. Prabir Das, Neheru Market, P.O. - Shamnagar, P.S. - Jagaddal, Dist- North 24 Pgs,
 - (3) Mr. Somnath Roy, 135/3, Sundia Para, P.O.- Kankinara, P.S. -Jagaddal, Dist-North 24 Pgs,
 - (4) Smt. Shanta Ganguly, 95/1 & 96/1, Bharat Chandra Roy Path, P.O.-Shamnagar, P.S. - Jagaddal, Dist- North 24 Pgs and
 - (5) Miss Tania Roy, 135/3, Sundia Para, P.O.- Kankinara, P.S.-Jagaddal, Dist-North 24 Parganas all partners of
 - (6) M/s. Pancham Enterprises, having office at 95/1 & 96/1, Bharat Chandra Ray Path, P.O.- Shamnagar, P. S. - Jagaddal, Dist- North 24 Parganas and
 - (7) Rajib Kumar Roy, S/o Late P C Roy, resident of 'Roy Villa', Prantik (Sakal), 5, Noapara, Ichapur, P.O. Nawabganj, North 24 Parganas, W.B. - 743144
- for criminal conspiracy, cheating, criminal breach of trust of a sum of Rs. 33,17,950/- and criminal intimidation.

Respected Sir,

I, Manish Kumar Agarwal, son of Sri Jagdish Prasad Agarwal, being the authorized representative of M/s Bharat Hitech (Cements) Pvt. Ltd on its behalf do inform you as under -

BHARAT HITECH (CEMENTS) PVT. LTD.

AN ISO 9001 : 2008 Certified Company

Corporate Office :
GANDHI HOUSE, 4th Floor, 16, Ganesh Chandra Avenue, Kolkata-700013.
Tel : 91-33-2225 6101/102, Fax : 91-33-22256454

Works :

P.O. V. Nagar, Bongabari, Purulia (WB). Pin - 723147.
Tel : +91-3252-313155, Fax : +91-3252-222494

CIN - U51900WB1999PTC098270

Unit of
**KUSHAL
BHARAT
GROUP**



The complainant, M/s. Bharat Hitech (Cements) Pvt. Ltd. is a company duly registered under the provisions of the Companies Act, 1956 having its corporate office on the 4th Floor, Gandhi House, 16 Ganesh Chandra Avenue, Kolkata – 700013 and its factory at V. Nagar, Bongabari, Purulia- 723147 (hereinafter referred to as company) within the jurisdiction of Purulia Police Station (M).

In and around March, 2016, the accused nos. 1 to 5 had approached the company at its corporate office and had met Mr. Rajib Kumar Roy, Marketing officer, the accused No. 7 and had represented that they were the partners of M/s Pancham Enterprises, having its office at 95/1 & 96/1, Bharat Chandra Roy Path, P.O. – Shamnagar, P.S. – Jagaddal, Dist. – North 24 Parganas and they dealt in building materials and had an excellent network in and around the district of North 24 Parganas. They had further represented that there was a huge demand for cement in the local market in and around the North 24 Parganas region and through their network and connections they could place orders for supplies of huge quantities of cement in the region for which they would require constant supplies of huge quantities of cement. Aforesaid accused persons further represented, if our company supplies said huge quantities of cements, our company can make huge profits, in considerations thereof. The accused nos. 1 to 5 assured that upon receiving cement as per their request they would make payments immediately upon realization from the dealers/ market. They had requested Mr. Rajib Kumar Roy (Accused no. 7) to appoint them as the company's C&F Agent.

In order to induce the company into appointing the C&F Agent, the accused nos. 1 to 5 had asked Mr. Rajib Kumar Roy to send a representative of the company to visit their Office, Godown and arrangements. Rajib Kumar Roy had allegedly visited the office and godown of the accused no. 6 himself. Upon his return together with the partners of the accused no. 6 namely the accused nos. 1 to 5, Rajib Kumar Roy had given a glowing report on the activities and capabilities of the accused firm to act as C&F Agent of the company and had together with the accused nos. 1 to 5 who had represented to the company their excellent network and connections in North 24 Parganas and their ability to market huge quantities of Cement if

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appointed C&F Agents and had induced the company into giving them the agency. Not only that the accused no. 1, Anjan Ganguly emphatically mentioned that he is an officer in a nationalized Bank and we should remain assured and/or guaranteed about the payments. The company being induced by the representations of the accused nos. 1 to 5 and the glowing recommendation of the accused no. 7, Rajib Kumar Roy, had been deceived into appointing the accused no. 6 as its C&F (Carrying & Forwarding) agent.

In order to bolster the company's confidence about the genuineness of the representation made to it, the accused had made payments of the cement ordered initially in advance payment and gradually a little late. The accused nos. 1 to 6 had started placing larger and more frequent orders with the company. The company which had been inducted into a false belief about the genuineness of the accused by the payments for the initial small quantities given on credit had commenced supplying larger quantities of cement. Payments thereafter had become irregular and a large quantity remained outstanding.

The company had informed Mr. Rajib Kumar Roy that unless full payment was received for all the cement supplied to the accused no. 6, M/s Pancham Enterprises, no further cement was to be supplied. However, Rajib Kumar Roy, the accused no. 7, who had entered into a conspiracy with the accused nos. 1 to 6, had continued to make supplies to the accused no. 6 on credit further enhancing the indebtedness of the accused firm to the company. Rajib Kumar Roy had all on a sudden stopped coming to work and a notice issued to him in connection with large scale outstanding of customers to whom he had been specifically told not to supply goods any further on credit until their dues were cleared remained unanswered. Rajib Kumar Roy had ignored all efforts to contact him over the mobile and even visits to his residence proved futile as he was never to be found at home.

Representatives of the company had visited the office of the M/s Pancham Enterprises where the accused had stated that dealers in the market to whom cement had been supplied

had not made payments and therefore they were unable to pay the company. Subsequently,

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when company representative enquired to the dealers under accused no. 6, utter to surprise, most of them had already paid to the accused and no dues were there which can be evident from the confirmation given in writing.

It further revealed that, aforesaid accused have misappropriated Rs. 33,17,950/- only, which they collected from the market, on our company's behalf but not deposited the same, and committed the criminal breach of trust, in connivance and conspiracy with each others.

When the accused having information about the visit of company representative to the dealers under M/s Pancham Enterprise and explore of their misdeeds, to cover up and manage the situation they further come up with a trick and on behalf of the accused no. 6. had handed over a cheque being no: 064376 drawn on Axis Bank Ltd, for Rs. 33,17,950/- (Rupees Thirty Three Lakh Seventeen Thousand Nine Hundred Fifty only) dated March 15, 2017 and the representative had been assured that this cheque would be cleared on presentation in any circumstances.

The cheque had been duly presented and had been dishonoured as "Payment Stopped by the Drawer". This clearly indicated that the accused nos.1 to 6 had absolutely no intention of making the payment of their outstanding dues. When the accused firm had been issued a notice to make payment of the dishonoured cheque, personnel of the company had received abusive and threatening phone calls both in Kolkata and Purulia that if any effort was made to collect on the dishonoured cheque they would suffer serious and dire consequences.

In such circumstances, it is apparent that the accused had entered into a criminal conspiracy and made false and fraudulent representations to the officers of our company with the sole intention of deceiving the company and inducing it to appoint the accused no. 6 its C&F Agent. Being induced by such false and fraudulent representation the company had appointed the accused no. 6 M/s Pancham Enterprises its C&F gent and had supplied cement on credit.

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Member of



It is requested that this information be treated as a First Information Report and a case be registered under Sections 120B/ 406/ 409/ 420/ 506(II)/ 507/ of the Indian Penal Code, 1860 and investigate and the accused brought to book.

Yours Truly,
For Bharat Hitech (Cements) Pvt. Ltd

~~MAANIK K AGARWAL~~
Maanik K Agarwal
Authorised Signatory
Authorised Signatory 27/06/17
Mobile No - 9785123979

Received On 27/6/17 at 15:35 hrs
and started work for
Case No- 173/17 dt 27/6/17
u/s 406/409/420/506/507/34 ITC

~~MAANIK K AGARWAL~~
27/6/17
Officer-in-Charge
Purulia (M) P.S.
Dist.-Purulia

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