



FIRST INFORMATION REPORT

072

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

1) Loc. Daxalia Sub. Div. Sadam P.S. Daxalia (T) Year 2023 FIR No. 120/23 Date 08.08.23
2) Act. I.P.C. Sections 406/420/120-B ii) Act. X Sections
3) Act. X Sections iii) Other acts & Sections. X
4) General Diary Reference: Entry No. 593 Time 19:15 hrs.
5) Occurrence of Offence: Day Friday Date 03.03.2023 Time 21:00 hrs.
6) Information received Date 08.08.2023 Time 19:15 hrs. G.D. No. at the P.S.
7) Type of Information: Written/Oral - Typed Court Complaint vide Misc. petition No. 84/2023
8) Place of Occurrence: Direction and Distance from P.S. Courts west from PS, approx. 11Kms. Dist. 90000
9) Address: Chabisa, Jharkhand
10) In case outside limit of this Police Station, then the name of P.S. District
11) Complainant/Informant:
a) Name: Sheikh Azeem
b) Father's/Husband's Name: Late Sheikh J. Smail
c) Date/Year of birth: d) Nationality: Indian
e) Address: Sadar Bazar, Ward No. 9 of Daxalia Municipality, P.S. Daxalia (T) Dist. Daxalia.

7. Details of known/suspected/unknown/accused with full particulars (Attach separate sheet, if necessary):
1) Mr. Kaushik Acharya, HDB Financial Services Limited, Branch Promoter at Daxalia
2) A group of employees of financial institution of HDB Financial Services Limited Daxalia
3) Other unknown persons.

8. Reasons for delay in reporting by the complainant/informant
9. Particulars of properties etc. involved: (Attach separate sheet, if required) P.S. per complaint.
10. Total value of properties etc. involved:
11. Inquest report/UDI Certificate, if any: Does not arise.

12. FIR Contents: (Attach separate sheets, if required)
The original typed court complaint vide Misc. petition No. 84 of 2023 of the complainant which has duly been forwarded by 10 C/M, Daxalia is treated as F.I.R. is enclosed herewith.
C.M.O. 08.08.23
Inspector-in-Charge P.S. Purulia

13. Action taken: Since the above report meets commission of offence(s) under 406/420/120-B I.P.C. Purulia
As per kind instruction of S/O, Daxalia P.O. S/O. Gopal Ch. Nayak of Daxalia registered the case and took up the investigation. S/O. Nayam Mondal of Daxalia 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 of the Officer-in-Charge: Gopal Ch. Nayak
Name: Gopal Ch. Nayak
Rank: S/O of P.O., Daxalia (T) P.S.
Number/Date: Dist. Daxalia, 08.08.23
Signature/Thumb impression of the Complainant/Informant: [Signature]

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE  
PURULIA.

MISC PETITION NO. 84/2023.



Sheikh Ainul  
Vs

Kaushik Acharya and others

Order dated; 06.07.2023.

Petitioner Sheikh Ainul filed an application u/s 156(3) CrP.C against the accused persons Kaushik Acharya and others with a prayer to send the same to the O/C Purulia(T) Ps for investigation by treating the same as F.I.R along with an affidavit stating that no case has been initiated upon the same allegation before any P.S.

Perused the petition and photo copies of documents. It appears that a cognizable case is made out. Thus the petition u/s 156(3) CrP.C is allowed. The O/C Purulia(T) Ps is directed to investigate the case as per law treating the petition as F.I.R and to report compliance, with a direction to submit report within one month.

Let the complaint along with copy of order be sent to the O/C Purulia(T) Ps concerned.

Dic.&Corr by me.

Sd/-Rina Talukdar.  
CJM,Purulia

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CJM,Purulia

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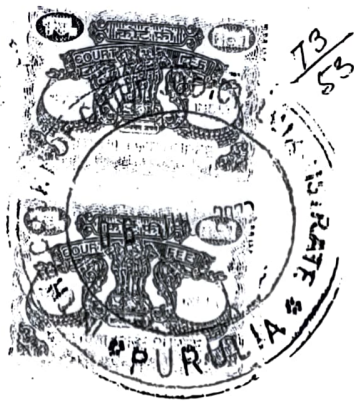
Process- 824

Dated- 12/7/2023

Copy forwarded to O/C Purulia(T) Ps for information and necessary action.

✓  
Chief Judicial Magistrate,  
Purulia  
Chief Judicial Magistrate  
PURULIA

DR- 5917/23



S. K. Ahmad

btcr  
*[Signature]*

Allowed,  
6/7/23

In the Court of Chief Judicial Magistrate, Purulia.

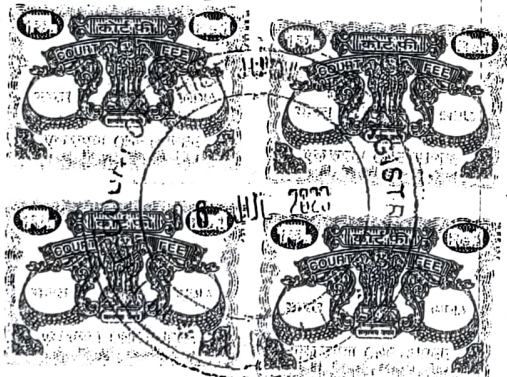
Misc Petition No. 84 of 2023.

Complainant:



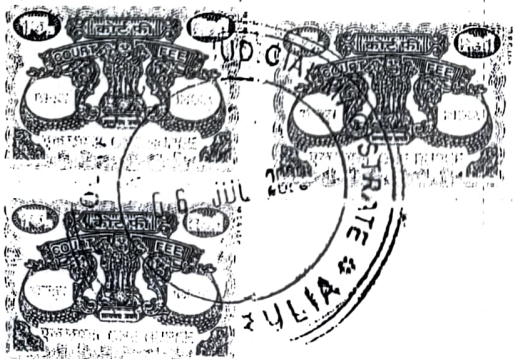
1. Sheikh Ainul ,S/o Late Sheikh Ismail ,By faith- Islam ,By Occupation - Self Employed , Address - Sadagar Bandh ,Ward number 9 of Purulia Municipality,Post+District - Purulia,pin Code - 723101, West Bengal.

Name of the accused persons:



1. Mr Kaushik Acharya ,HDB Financial Services Limited ,Branch Manager at Purulia .
2. HDB Financial Services Limited , Purulia Branch,Ground Floor, Bijay Sarovar Near Devi Sushila Apartment Binay Batika Bye Lane, 3, Ranchi Rd, Purulia, West Bengal.
3. Unknown persons

Nature of offense:



491  
No. 122/23, 406/20, 420, 503 and 120B

Received on 08.08.23 at 19:15 hrs. and started purulia (T) PS case No. 122/23 CIAO, 08.08.23 as 406/20/120-B I.P.F

*[Signature]*  
08.08.23  
Inspector-in-Charge  
Purulia Town P.S.  
Purulia



STAMP

company's any notification in advance, even there was no E.M.I pending for said loan agreement bearing No.8591435 at that time under which the said vehicle Hypothecated by said finance company . Inventory list of the said vehicle is annexed as **Annexure No.4.**

7. The said finance company did not release the said vehicle even after repeated requests by complainant to the Branch Manager at Purulia Mr Kaushik Acharya and the unknown accused (Musclemen) were wrongfully confined the said vehicle at khokhar Industries Chaibasa Parking ,Jharkhand.

8. That the said vehicle was released after 15 days and only after said finance company illegally extorted **Rs 12,000/-** through money receipt dated **16.03.2023** without favoring any loan account is annexed as **Annexure No.5 .**

**Rs 20,000/-** through money receipt dated **16.03.2023** without favoring any loan account and without any proper reason given by them.

is annexed as **Annexure No.6 ,**

illegally extorted **Rs 4,51,400/-** , copy of Money receipt of **Rs 4,51,400/-** dated 16.03.2023 for loan account No.15057097 as for closure of Self Employed personal loan bearing No.15057097 is annexed as **Annexure No.7 .**

And letter of closer of personal loan bearing No.15057097 is annexed as **Annexure No.8 ,**

said loan is given under Emergency Credit Line Guarantee Scheme under the Finance Ministry comprehensive package for COVID 19 pandemic



S. F. Ahmad

*[Handwritten signature]*

without any advance notice which is mandatory to provide to the complainant as governed by Reserve Bank of India guidelines for "Fair Practice Code for the Lender"

RBI/2015-16/16DNBR (PD) CC.No.054/03.10.119/2015-16 dated 1st July 2015

and also violated Reserve Bank of India guidelines for "Fair Practice Code for the Lender"

**(Annexure No.9 ,page No.4 ,5 ,and 10 ) Clause (iv) General , Subclause (a) NBFCs should**

**refrain from interference in the affairs of the borrower except for the purposes provided in the terms and conditions of the loan agreement (unless information, not earlier disclosed by the borrower,has been notice.d)**

**and (c) In the matter of recovery of loans, the NBFCs should not resort to undue harassment viz: persistently bothering the borrowers at odd hours, use muscle power for recovery of loans etc. As complaints from customers also include rude behavior from the staff of the companies, NBFCs shall ensure that the staff are adequately trained to deal with the customers in an appropriate manner** is annexed as **Annexure No.9 ,**

which will be followed by the Company in respect of the financial facilities and services offered by the Company to its customers.

and also violated its own

guidelines **HDB Financial Services Limited "FAIR PRACTICES CODE AND GRIEVANCE REDRESSAL POLICY "(Annexure No.10 ,Page No.3 and 4 ) "Clause -Recovery of Loans**