

FORM 54
[See Rule 159 (a) and (2)
Accident Information Report

- 1) **Name of the Police Station:** Kalimpong Police Station
- 2) **CR No./ Traffic Accident Report:** Kalimpong PS Case no: 81/22, Dt: 12.04.2022, U/S 279/337/338/427 IPC
- 3) **Date, time and place of accident:** On 17.10.2021 at about 15:00 hrs near Pachey (NH10), PS/Dist: Kalimpong
- 4) **Name and full address of the injured :** Shivadeep Rai (36) s/o Mohan Rai of bhai School Road Gangtok, Sagardeep Rai (31), S/O Mohan Rai of Tadong Daragaon Gangtok East Sikkim
- 5) **Name of the Hospital he/she was moved:** CRH Central Referral Hospital Tadong Gangtok
- 6) **Registration Number of vehicle and the type of the vehicle:** SK01P4659 hundai 120 Asta
- 7) **Driving Licence particulars:** SK-0120160042593 in r/o Shivadeep Rai (36 yrs) s/o Mohan Rai

- (a) **Name and Address of the Driver:** Shivadeep Rai (37yrs) s/o Mohan Rai, Permanent Resident of Bhai School Road Gangtok, Est Sikkim
- (b) **Driving Licence number and date of expiry:** SK-0120160042593 valid till 21.09.2035
- (c) **Address of the issuing authority:** Gangtok Sikkim
- (d) **Badge No in case of public service vehicle:** N/A

- 8) **Name and address of the owner of the vehicle at the time of the accident:** Sagardeep Rai S/O Mohan Rai of Tadong Daragaon East Sikkim
- 9) **Name and address of the Insurance Company with whom the vehicle was insured and the particulars of the Divisional Officer of the said insurance company:** United India Insurance company Ltd deoraliGantok East Sikkim

- 10) **Number of the Insurance Policy/ Insurance Certificate and the date of validity of the Insurance Policy/Insurance Certificate:** 03199053120P113846436
valid till: 25/02/2022 (Midnight)

- 11) **Registration particulars of the vehicle (class of vehicle):**

- (a) **Registration no:** SK 01P 4659
- (b) **Engine no:** G4LAAM483427
- (c) **Chassis no:** MALBB51BLAM210057

- 12) **Route Permit particulars:**

- 13) **Action Taken, if any, and the result thereof:** Registered Kalimpong PS Case no: 81/22, Dt: 12.04.2022, U/S 279/337/338/427 IPC



Vehicle Class
MOTOR CAR
Maker's Name
HYUNDAI MOTOR INDIA LTD
Model name
I20 ASTA
Colour
DK METALLI
Body type
SALOON
Seating(in all) Capacity
4



Regn.No
SK01P4659
Month & Yr.of Mfg
08/2010
Wheel Base(mm)
999999
Cubic Capacity
1197.00
No of Cylinders
4
ULW(kgs)
0

(Signature)
Registering Authority
RTO GANGTOK
Motor Vehicle Division
Gangtok Sikkim

Form 23A



Transport Department, Govt of Sikkim
Certificate of Registration(Form 23)



Regn. No
SK01P4659

Date of Regn
 14-Sep-2010

Regn.Validity
 31-Jul-2025

Chassis No
 MALBB51BLAM210057

Owner Sr.No

4

Tax upto
 14-Sep-2020

Fuel Used
 PETROL

Emission Norms
 Not Available

Engine No
 G4LAAM483427

Owner Name
 SAGARDEEP RAI
Son/Daughter/Wife of
 MOHAN RAI



TO

Address
 TADONG DARAGAON, GANGTOK, TADONG PS, EAST
 DISTRICT-SIKKIM-737102





UNITED INDIA INSURANCE COMPANY LIMITED

NH 31A, DEORALI BAZAR, DEORALI, GANGTOK EAST SIKKIM

EAST SIKKIM - 737102 SIKKIM

PH: (3592) 281765 FAX: : EMAIL:



**PRIVATE CAR
LIABILITY ONLY POLICY
POLICY NO.:0319053120P113846430
VEHICLE NO.:SK - 01 - P - 4659**

PERIOD OF INSURANCE
From 15:00 Hrs of 26/02/2021
To Midnight of 25/02/2022

Insured
MR SAGARDEEP RAI
TADONG, DARAJAON, GANGTOK
737101
EAST SIKKIM
SIKKIM

DUPLICATE POLICY: KINDLY VERIFY YOUR POLICY NO. AND FUNCTION OR, PLEASE CONTACT IF ALREADY REPORTED.

Agent Name
Agent Code
Mobile/Cellular Number/E-mail

The genuineness of this policy can be verified through "Verify Your Policy" link at www.uicoin.com.

For any Information, Service Requests, Claims intn, and/or any Correspondence please write to 811765@uicoin.com

Generated by Customer Application System (CAS) on 26/02/2021 at 15:00:00 Hrs
Printed By: DCP36536 / 26/02/2021 3:04:05 PM

This document is digitally signed

Digitally signed by N MOHAN SARKAR
Date: Fri, Feb 26, 2021 15:04:05
Location: United India Insurance Company Ltd
Reason: Signing Policy No. 0319053120P113846430



Licence No : **SK-0120160042593**

Non-Transport Validity
From : 25/05/2016 To : 21/09/2035

Transport Validity
From : To :

Date of 1st Issue of Driving Licence
25/05/2016

Dates on which additional vehicles were included

Class of Vehicles
LMV (NT)

Class of Such Vehicles

Name/Desg. of Testing Authority
JALAN 2440

Name/Desg. of Testing Authority

Signature

ISSUE

Blood Group
A+



**INDIAN UNION DRIVING LICENCE
GOVERNMENT OF SIKKIM**



DL No:SK-0120160042593

Form-7
Rule 16(2)



Name : SHIVADEEP RAI

S/o : MOHAN S RAI

**Address : APPARA LOLE, LOLEY, KALIMPONG
DARJEELING WEST BENGAL 7**

Signature of Holder Date of Birth : 22/09/1985

is licenced to drive throughtout the
of the following descriptions

LMV(NT) Only

[Handwritten signature]
Licencing Authority
25/5/16
for The Licencing Authority
Garoga, Sikkim
RTO, EAST SIKKIM



C.R Case No. 42 of 2021 (CIS 30/2021)
JO Code: WB 00934

Order No. 04 dated 07.04.2022

This day is fixed for passing order.

The record is taken up for passing order.

The order is necessitated by the allowance of the revisional application of the petitioner Shivadeep Rai on 25.03.2022 in Criminal Revision No. 02/2022.

The petitioner above named had challenged the Order No. 02 dated 28.01.2022 passed by this Court.

Now that the order passed by this Court on 28.01.2022 has been set aside in revision by the Jd. Sessions Judge, Kalimpong, order should be passed accordingly.

I.C. Kalimpong P.S. is therefore, directed to treat the application u/s 156(3) of Cr.P.C. filed by the petitioner on 22.12.2021 as FIR and initiate investigation.

To 22.04.2022 for compliance report.

Requisites at once.

D/c by me,

CJM, Kalimpong.

Chief Judicial Magistrate
Kalimpong

CJM, Kalimpong.

Chief Judicial Magistrate
Kalimpong

P.No. 351 dated 7.4.2022

[Handwritten signature]

IN THE COURT OF LEARNED CHIEF JUDICIAL MAGISTRATE
AT KALIMPONG, DISTRICT KALIMPONG

Complaint Case No. 42 of 2021 ⁹⁵ 30/21

IN THE MATTER OF COMPLAINT:-

A petition of complaint under section 156 (3) Of the Code of Criminal Procedure.

AND

IN THE MATTER OF:-

Mr. Shivadeep Rai, Age 36 years, S/O
Mohan Rai alias Mohan Sahara Rai
resident Dokan Dara, Loaly Busty,
B.P.O.Lolay, P.S. & Dist of Kalimpong.

..... Petitioner

VS

Mr.Dhamendra Kumar CMD
No. 13893064W Driver of the Vehicle
BA.No. 12D.188992K ALS
Unit 741 TPT Company ASC Bagdogra,
.....Accused Person



A petition of complaint praying for initiation of F.I.R. under Section 156 (3) of the Code Of Criminal Procedure for the offences punishable, inter alia, under section 279/134/337/338/427/307 of I.P.C.R/W S.8B (1) of National Highways act 1956

IN THE MATTER OF AN APPLICATION U/S 156(3) Cr. P.C.

The humble petition of the complainant in the instant case Most Respectfully Sheweth:

1. That the petitioner/complainant is the resident of Dokan Dara, Lolay Busty, B.P.O. Lolay ,P.S. & in the District of Kalimpong.
2. That the Petitioner/ Complainant has fallen prey in respect of an array of events detailed hereinafter which

Shivadeep Rai

Cont. to page 2

27 DEC 2021

resulted in heavy financial loss and health of the family members of the complainant being subjected to rash and negligent driving on the part of the accused person named above.

3. That the petitioner is the Head Cashier employed with Bank of Maharashtra and presently posted in Gangtok Branch, East, Sikkim.
4. That the petitioner /complainant is a responsible person and law abiding citizen of India permanently domiciled in the state of West Bengal.
5. That on 17th of October 2021 the petitioner/Complainant along with his family members Mohan Rai @ Mohan Sahara Rai (father), Surya Rai (Mother) and Sagardeep Rai (Younger brother) were travelling in their Hyundai Vehicle bearing registration No. SK01/P/4659 around 3 P.M. from Darjeeling to Gangtok, when they reached at Pache, N.H. 10 one speeding Army vehicle bearing no. 12D.188992K also coming from opposite direction, heading towards Siliguri without caring of the narrow road rash and negligently hit the vehicle of the petitioner/complainant.
6. That as a result the petitioner/ complainant of the vehicle capsized down the N.H. 10 causing grievous injuries. In that accident the petitioner's/ complainant's younger brother sustained fatal head injuries and underwent brain surgery at Central Referral Hospital, Manipal, Sikkim, and was kept in I.C.U. for fourteen (14) days. On 30th October, he was taken to Neotia, Siliguri, for further treatment and he is under medical treatment and his left hand is paralyzed.
7. That the mother of the petitioner/ complainant sustained Collar Bone fracture with multiple bodily injuries and even his father and he himself also suffered multiple bodily injuries and cuts and bruises. That the vehicle of the petitioner/ Complainant was completely damaged.
8. That the petitioner on 2th November 2021 lodged F.I.R before Rangpoo Check Post which is under Kalimpong P.S. that the officer In-charge denied to register the F.I.R.. After the refusal from the said Rangpoo Checkpost the Complaint/ petitioner on 12th November 2021 a complaint was served upon the Superintendent of Police, Kalimpong, vide Registered A.D., which is remained unanswered and no steps whatsoever had been initiated on the part of the competent authorities, whatsoever yet.
9. That there was delay in lodging the F.I.R. by the petitioner/ Complainant as the whole family was injured in

Sagardeep Rai

Cont. to page 3



:::3::

the accident and in immense mental trauma.

10. That the accused person taking the advantage of the situation instead lodged an F.I.R. before the Rangpoo Check post with false allegations against the petitioner/complainant and the case was also registered vide P.S. Case no. 250/2021 dated 17/10/2021 corresponding to G.R. Case No. 319/ 2021.
11. That the younger brother of the petitioner/ complainant being at the tender age who also happens to be the employee of State Bank of India due to the fatal accident is completely bed ridden and he is still under heavy medication and treatment. That the petitioner/ complainant sustained a financial loss of near about 9 lakhs approx. for the treatment of himself and his family members only because of rash and negligent driving of the above named accused person on the other hand the vehicle of the complainant is also completely damaged.
12. That whereas the offending vehicle was Shaktiman, which is huge in size, was slightly damaged and the accused person travelling along with other persons sustained no injuries.
13. That the offences have been committed within the jurisdictions of Kalimpong Police Station.

That in view of the facts and circumstances the complainant/ petitioner submits that the accused person has committed offences punishable under Penal Section amongst others deliberate act under section 156 (3) of the Code Of Criminal Procedure for the offences punishable, inter alia, under section 279/134/337/338/427/307 of I.P.C.R/W S.8B (1) of National Highways act 1956

14. That this petition is made bonafied and for the interest of justice.

In the aforesaid facts and circumstances the complainant most humbly praise that your Honour may graciously be please to pass the following orders.

- a) An order to send this petition of complaint under section 156(3) of the Code of Criminal Procedure to the officer in charge of Kalimpong Police Station for thorough investigation treating this complaint as

Cont. to page 4

Shivodup Rai

Received on 12.04.2022
at 16:15 hrs and started
Kalimpong PS Case
No 81/2022 dtl 12.04.2022
46-279/337/328/427 etc

TJP
12.04.2022
Inspector in-charge
Kalimpong Police Station
Dist Kalimpong

First Information Report, apprehending and interrogating the accused person and arresting the accused person if needed.

- b) That the police is empowered to investigate into the alleged offences.
- c) That under such circumstances it is desirable that the case be investigated by the police.
- d) To pass such further order as your Honour may deem fit and proper.

AND FOR THIS ACT OF KINDNESS THE COMPLAINANT SHALL EVER PRAY

Kalimpong

22/12/2021

AB
22/12/21



AFFIDAVIT



I, Shivadeep Rai aged about 36 years S/O Mohan Rai @ Mohan Sahara Rai, by nationality Indian and resident of Dokan Dara, Lolay Busty, B.P.O. Lolay within the Post Office of Dokan Dara, Police Station & Dist. of Kalimpong do hereby solemnly affirm and declare as follows :-

- 1. That I am the above named Complainant/ Petitioner in the instant Case.
- 2. That all the statement as made above under paras 1 to 13 are true to the best of my knowledge and rest are my humble prayer before the Id. Court and I sign this affidavit on this the 22nd Day of December 2021 at Kalimpong.

Shivadeep Rai

Deponent identified by me : Notary Registrar D E P O N E N T

Page No..... 212
SI. No..... 341817
R. No..... 17830
Date..... 22/12/21

By Subba
Adv. Kalimpong
Enrol. No. 2330/2053/2017

(Bhaskar J. Subba) Advocate
Kalimpong.

Solemnly affirm and declared before me on proper identification

And Rai Notary
enl. No. 17830, Kalimpong District

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IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, KALIMPONG

Complaint Case No. 42 /2021.

Sri Shivadeep Rai

..... Complainant

Vs.

Dhamendra Kumar

..... Accused.

Present :- Sri Edwin Lepcha,
Chief Judicial Magistrate, Kalimpong.

Order no. 01 dated 22.12.2021

Applicant Shivadeep Rai files an application u/s 156(3) of Cr. P.C. with a prayer for sending it to the local P.S. for causing investigation after treating the same as F.I.R.

The applicant has arrayed Dhamendra Kumar as accused.

Hd. Considered. Perused the application made on affidavit and copies of documents.

The application prima facie, discloses commission of cognizable offence. Applicant has alleged the police did not take any action despite of complaint made before the local P.S. and the S.P., Kalimpong.

Considering the nature of allegations and facts and circumstances, I am of the opinion that this a fit case in which the investigation by police may be directed.

The prayer of the petitioner is thus, allowed.

I/C, Kalimpong., is directed to treat this application as F.I.R. u/s 156(3) of Cr. P.C. and initiate investigation.

To 28.01.2022 compliance report.

Requisites at once.

D/c by me,

Sd/-

G. J. M.

Sd/-

Chief Judicial Magistrate,
Kalimpong.

FIRST INFORMATION REPORT

(Under Section 154 Cr P.C.)

1731

Dist Kalimpong

P.S. Kalimpong Year 2022

FIR No 81/2022

Date 12.07.2022

Sections 279/337/359/427

(i) Act Sections

(ii) Act IPC

Sections

(iii) Act Sections

(iv) Others Acts & Sections

(a) Occurrence of Offence - Day Sunday Date From 17.10.2021 Date To

Time Period around 15:00 hrs Time From Time To

(b) Information received at P.S. Date 12.07.2022 Time 16:15 hrs

(c) General Diary Reference - Entry No(s) 556 Time 16:15 hrs

Type of Information Written / Oral

Place of Occurrence - (a) Direction and Distance from P.S. 38 km North East Local No J.L. No. 01

(b) Address Pacha, NH-10
Rangpo, PS + Dist Kalimpong

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

Complainant / Informant (a) Name Shivadeep Rai, age 26 yrs

(b) Father's / Husband's Name Mohan Rai @ Mohan Sahara Rai

(c) Date / Year of Birth (d) Nationality

(e) Passport No Date of Issue Place of Issue

(f) Occupation (g) Address Doken Dara, Lalay Busty, BPO Lalay, PS & Dist. Kalimpong

Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary):
Mr. Dharmendra Kumar CMD, No. 13893064W
Driver of the vehicle B.A. No. 12D.189992K Als
Unit 741 TPT Company ASC Bagdogra

Reasons for delay in reporting by the Complainant / Information

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

Total value of properties stolen / involved

Inquest Report / U.D. Case No., if any
FIR Contents (Attach separate sheets, if required): The Original written complaint which is treated as FIR is enclosed herewith/reproduced over leaf.

Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2, registered the case and took up the investigation / directed PSI Rinchon Borison @ Rangpo CP to take up

investigation / refused investigation / transferred to P.S. on point of

investigation. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Toshi
12.07.2022
Inspector in-charge
Kalimpong Police Station
Dist. Kalimpong

14 Signature / Thumb impression of the Complainant / Informant Name SI Toshi Bhoring Shorps

15 Date & Time of dispatch to the court Rank No. Kalimpong PS, Dist Kalimpong
02 2561/22 XPG. PS
01 13.1.4 2022

DISCHARGE SUMMARY

UID	UID110000320305	Disc Sam No.	
Mr	Mr SAGARDEEP RAI	IP NO.	
Age	30 Years 3 Months	Bed NO.	
Gender	MALE		
Residence Name	S. G. M. APARTMENT		
Address	BHAI S. C. ROAD, CHANDERNAGAR, DIST. MOUKSHEEPUR, EAST SIKKIM, SIKKIM, INDIA		
Attending Consultant	Dr. ANAND KHAJURA MBBS MD (MEDICINE) (DIABETES/PHYSIOLOGY)		
Co Consultant	Dr. P. D. BHATTACHARYA MD (MACH) (S. & F. AC.) (K. SURGERY) Dr. VISHAL MOHANTY MBBS MS (GENERAL SURGERY) M. CHL (GENERAL SURGERY)		
ADMISSION DATE & TIME	20/10/2021 07:58 PM		
DISCHARGE DATE & TIME	07/11/2021 10:01 AM		

FINAL DIAGNOSIS:

Epidural Hematoma [S/P Craniotomy for right epidural hematoma done outside]
Hypoxia due to kidney injury

CHIEF COMPLAINT:

Headache since 3-4 days

HISTORY OF PRESENT ILLNESS:

30-year-old male patient had altered history of R/O on 17/10/2021. Patient was brought to hospital and surgery performed. Post-op was managed conservatively for Covid-19. Patient has been started here for Stroke. Patient has post Covid status. Patient also developed A/C during hospital stay.

PAST MEDICAL HISTORY:

Post Covid status - 20/10/2021

PAST SURGICAL HISTORY:

Craniotomy of rHDH on 17/10/2021

ALLERGIES:

Not known.

ON ADMISSION (PHYSICAL EXAMINATION):

GENERAL - Conscious, oriented, alert.

VITALS - RR 18/min, SpO2 92% on 2 L BP 130/80 mmHg, HR 100/min, Temp 37.5°C

Wt 65 kg, Ht 170 cm

CHEST - Bilateral clear lung fields

CVS - S1, S2 audible. No murmur

Name: Mr. SAGARDEEP RAI Age: 30 Years 3 Months
Gender: MALE



WOMEN - Not tender.

S. W. ...

INVESTIGATIONS

Investigations reports are being attached and have been handed over to patient ... along with discharge paper

COURSE & TREATMENT IN HOSPITAL:

S. Sagardeep Rai a 30 yrs old male patient was admitted with ... mentioned ... On evaluation he was found to have a recent history ... which he ... Patient also developed ... during ... EDH in CRH, Sikkim. Patient also developed ... during ... On further evaluation patient was found to have ... patient was conscious but not oriented. Patient was promptly started on ... management with antibiotics, IV fluids and sedatives. The patient now ... and is afebrile. The patient is haemodynamically stable and is ... discharge with oral medication.

CONDITION AT DISCHARGE:

ADVICE ON DISCHARGE:

MEDICATION:

- Paracetamol 500 mg one tab twice daily x to continue 1 month
- TROQUIT-P (500 / 800 mg) one tab thrice daily x 1 month
- METFORMIN 40 mg one tab once daily before breakfast x 1 month
- VITAMIN B12 15 ml at bed time x 7 days then SOS.
- LEVITRA 50 mg one tab SOS.
- PANTOPRAZOLE 40 mg one tab at bed time x 10 continue 1 month
- METFORMIN 500 mg one tab twice daily x 5 days.
- ... 60K one cup once weekly x 12 weeks
- ... one tab twice daily x to continue 1 month

SIGNALS TO OBTAIN URGENT CARE:

Loss of consciousness, Convulsion, Recurrence of symptoms - SOS

FOLLOW UP:

Follow up in Out Patient Department with Dr. Anand Jain MBBS, MD (Medicine), DNB (Neurology) [Dr. P D Bhutia, MD, MACJ(USA), FEAC, (UK), FRCP(EDIN) and Dr. Vishal Singh MBBS, MS (General Surgery), M Ch (Neurosurgery) after 1 week with CBC/KFT/LFT reports - SOS

In case of any Emergency you may contact the 24x7 Emergency Number 0353-660-3030 attend the Hospital Emergency Department/attend your family Physician or local Consultant immediately.

[Pathology Home Collection Number: 9733329558]

Please present the copy of the discharge summary at OPD Registration Desk on your follow up visit. Please contact Appointment Desk number 0353-660-3063 for booking follow up visit."

SIGNATURE

Dr. ANAND JAIN
Regd. No. 148

SIGNATURE OF DUTY DOCTOR
Regd. No.

SIGNATURE

Dr. P D BHUTIA,
Regd. No: WBMC53233,

Dr. VISHAL BHILLIT
Regd. No. 58091

DATE

02.11.2021

DATE

02.11.2021

This Discharge advice has been explained to me in a language understandable by me

SIGNATURE

NAME

RELATIONSHIP

DATE

TIME

Mr. SAGARDEEP RAI

Page 3 of 3

Age / Gender

30 Years / M / Mths
MALE

01/110000320305

REF:- Kalimpong Ps case no. 81/22 Dtd. 12/04/2022 v/s. 279/337/338/427 JPC

- 1. DATE & TIME OF SEIZURE : On. 23/08/2022 at 11:15 hrs.
- 2. PLACE OF SEIZURE : At Rangpo C.P.
- 3. FROM WHOM SEIZED : On being produced by Shivadeep Rai s/o Mohan Rai of Lalay Ps/DIST. Kalimpong.
- 4. NAME OF WITNESS :

- (I) HG/1228. Suren Gungy.
- (II) CV/899. Mangal Sing Dorjee Tamang.

Shivadeep Rai

5. DESCRIPTION OF SEIZED ARTICLES :
- ① One original D/L bearing no. SK-01-2016-0042543. in respect of Shivadeep Rai valid till. 24.09.2035.
 - ② One original Registration Certificate bearing no. SKDIP4659 in respect of Sagardeep Rai s/o Mohan Rai of Tadong Daragaon East Sikkim valid upto 31/07/2025.
 - ③ One original Insurance Certificate bearing policy no. 0319053120P113-846436. valid upto. 25/02/2022. (during the time of incident).

6. SIGNATURE OF WITNESS


- (I) ^{H.G.} 1228 Suren Gungy
- (II) CV/899 Mangal Sing Dorjee Tamang

[Signature]
 23/08/22
 PSI Rinchen Jonzen
 Rangpo CP
SEIZED BY ME

**INDIAN UNION DRIVING LICENCE
GOVERNMENT OF SIKKIM**

DL No: SK-0120169042593

Form-7
Rule 16(2)



Name : SHIVADEEP RAJ

Sex : MALE

Address : APPARA LOLE LOLEY KALIMPONG
DARJEELING WEST BENGAL 0

Signature of Holder: *[Handwritten Signature]*

Date of Birth : 22/09/1987

is licensed to drive throughout India ~~and~~ *SIKIM*
of the following descriptions :

Category : Only

Issuing Authority
RTO, EAST SIKKIM

Licence No: SK-0120169042593	
<p>Transport Validity</p> <p>From : _____ To : _____</p>	<p>Areas in which additional vehicles may be driven</p>
<p>Class of Vehicle</p> <p>_____</p>	<p>Class of Such Vehicle</p> <p>_____</p>
<p>Name/Design of Issuing Authority</p> <p>_____</p>	<p>Name/Design of Testing Authority</p> <p>_____</p>
<p>Issue Dt.</p> <p>_____</p>	<p>Blood Group</p> <p>A+</p>

Transport Department, Govt of Sikkim
Certificate of Registration (Form 23)

SK

NT



Regn. No. SK01P0659 Date of Regn. 14-Sep-2010 Regn. Validity 31-Jul-2025

Chassis No. MAEBB51BLAM210857

Engine No. G4CAAM483427

Owner Name SAKARDEEP RAY

Son/Daughter/Wife of MOHAN RAY

Address TADONG DARAGAON, GANGTOK, TADONG PS, EAST DISTRICT-SIKKIM-737102

Owner Sr.No

4

TO



Tax upto 14-Sep-2020
Fuel Used PETROL
Emission Norms Not Available



UNITED INDIA INSURANCE COMPANY LIMITED

NH 31A, DEORALI BAZAR, DEORALI, GANGTOK EAST SIKKIM

EAST SIKKIM - 737102 SIKKIM

PH: (3592) 281765 FAX: ; EMAIL:



**PRIVATE CAR
LIABILITY ONLY POLICY
POLICY NO.:0319053120P113846436
VEHICLE NO.:SK - 01 - P - 4659**

PERIOD OF INSURANCE

From 15:00 Hrs of 26/02/2021

To Midnight of 25/02/2022

Insured

MR SAGARDEEP RAI

TADONG, DARAGAON, GANGTOK

737101

EAST SIKKIM

SIKKIM

IMPORTANT NOTICE KINDLY UPDATE YOUR AADHAAR NO. AND PAN, FORM 60. PLEASE IGNORE IF ALREADY UPDATED.

Agent Name :
Agent Code :
Mobile/Landline Number/Email :

The genuineness of the policy can be verified through "Verify Your Policy" link at www.uic.co.in.

For any Information, Service Requests, Claim intimation and Grievances please write to 031905@uic.co.in

Download Customer App(www.uic.co.in), REGD. B HEAD OFFICE, 24, WHITES ROAD, CHENNAI - 600014.

Website: <http://www.uic.co.in>

Printed By : DEP36536 @ 26/02/2021 3:44:05 PM

This document is digitally signed

Signer N MOHAN SANKAR
Date Fri, Feb 26, 2021 15:39:16 IST
Location: United India Insurance Company Ltd
Reason: Signing Policy for UIC



SK NT

Regn.No
SK01P4659
Month & Yr of Mfg
08/2010
Wheel Base(mm)
999999
Cubic Capacity
1197.00
No of Cylinders
4
ULW(kgs)
0

Vehicle Class
MOTOR CAR
Maker's Name
HYUNDAI MOTOR INDIA LTD
Model name
I20 ASTA
Colour
DK METALLI
Body type
SALOON
Seating(in all) Capacity
4



[Signature]
Registering Authority
Gangtok
Motor Vehicle Division
Gangtok Sikkim

Form 23A

WOUND CERTIFICATE

Hospital No. 840808

No. 1068

M. R. D. No.

Wounds or injuries found on the person of a male / female calling himself / herself Shiva Deep

Ravi Aged 37 years.

an inhabitant of Baha School Road

Who was sent with

From

And accompanied by family for report

as to certain injuries said to have been caused due to Alleged history of

road traffic accident

and to be due to

Identificate Marks : (1)

(2)

The injured person was first seen by the undersigned at 4:30 A.M. / P.M. on 17/10/21

and the examination was commenced at 4:30 A.M. / P.M. on 17/10/21 when

the following injuries were found :

(1) ① orbital injury

(2) Blunt trauma to chest ② side

The injured person was first seen by the undersigned at 4:30 A.M. / P.M. on 17/10/21

and the examination was found :

(1) ① orbital injury over ② upper eyelid

(2) Blunt trauma to chest ① side

(3) Blunt trauma to abdomen ② side

(4)

(5) Orthopedology consult done by Dr. Kashyap

(6)

(7)



Opinion: The injury is SIMPLE / GRIEVOUS

REMARKS: Simple injury

NCT brain (within Normal limits)

NCT thorax & paraspinal spaces are normal

Grav & glass like appearance in bony structures seen. please refer to

Signature: [Signature]
Name: Dr. Ravi Ranjan Singh
Reg. No.: 05230
Designation: J.R.

Station: CCU, Gangtok
Date: 17/10/21

Note: This form is to be filled in triplicate by the D.M.O. Who has attended the case, and the Original and duplicate should be sent to the M.R.D.

MR-071

Rohaan Thapa
Rangpo - check post West Bend's

WOUND CERTIFICATE

Hospital No. 890807

No. 1071

M. R. D. No.

Wounds or injuries found on the person of a male / female calling himself / herself SAGAR DCP

RAI Aged 31 years.

an inhabitant of Bahar School Road Tadong

Who was sent with

From

And accompanied by

as to certain injuries said to have been caused due to alleged beating

of SA

and to be due to

Identificate Marks : (1)

(2)

The injured person was first seen by the undersigned at 5:00 A.M. / P.M. on 15/11/2011

and the examination was commenced at 5:03 A.M. / P.M. on 15/11/2011 when

the following injuries were found :

(1) Head injury (Right Temporal lobe)

(2) SA

The injured person was first seen by the undersigned at 5:00 A.M. / P.M. on 15/11/2011

and the examination was found :

(1) Head injury laceration on Rt side forehead

(2) laceration on Rt side forehead

(3) laceration on Rt side forehead

(4) laceration on Rt side forehead

(5)

(6)

(7)

Opinion : The injury is SIMPLE / GRIEVOUS in extent

REMARKS :

Head injury in forehead

.....

.....

.....

.....

Station : CRH

Date : 15/11/2011

Note : This form is to be filled in triplicate by the D.M.O. Who has attended the case, and the Original and duplicate should be sent to the M.R.D.

MR-071

Signature: [Signature]
Name: Dr. [Name]
Reg. No. 1071
Designation: Senior Resident



TRUE COPY ISSUED

Rohin Thapa
2nd class post 6208

WOUND CERTIFICATE

Hospital No. 890811

No. 1068

M. R. D. No. _____

Wounds or injuries found on the person of a male / female calling himself / herself _____

an inhabitant of Surya Rai Aged 58 years.

Who was sent with Dangra Sibirim

From _____

And accompanied by family members & friends for report

as to certain injuries said to have been caused d/t an RTA

and to be due to _____

Identificate Marks : (1) _____

(2) _____

The injured person was first seen by the undersigned at 16:47 A.M. / P.M. on 12/10/21

and the examination was commenced at 16:47 A.M. / P.M. on 12/10/21 when the following injuries were found :

(1) left clavicular #

(2) _____

The injured person was first seen by the undersigned at 16:47 A.M. / P.M. on 12/10/21

and the examination was found :

(1) Pain in left shoulder

(2) Pain in Rt. pelvic area.

(3) _____

(4) _____

(5) _____

(6) _____

(7) _____

Opinion: The injury is SIMPLE / GRIEVOUS ll. clavicular #

REMARKS:

d/t RTA. - the patient was in a vehicle when an army truck hit their car. No bleeding, no LOC, no exit bleed.

(1) Pain in left shoulder area.

Signature: _____

Name: Dr. Arijit Sharma

Reg. No. SMC/01684

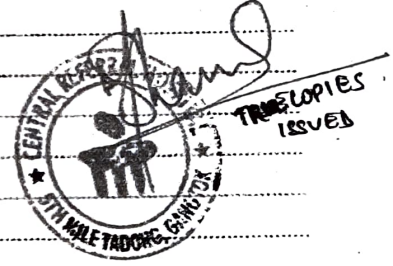
Designation: J. Resident

Station: Emergency ERH Tadong

Date: 18/11/21

Note: This form is to be filled in triplicate by the D.M.O. Who has attended the case, and the Original and duplicate should be sent to the M.R.D.

Rohin Thapa
Rangpo check post W.B



(CHARGE SHEET / FINAL REPORT)
(Under Section 173 Cr.P.C.)

Form No. - 39

IN THE COURT OF Ld. Chief Judicial Magistrate, Kalimpong

1. Dist. Kalimpong P.S. Kalimpong Year 2022 FIR No. 81/2022 Date 12.04.2022
2. Final Report/Charge Sheet No: 373 /2022
3. Date: 31 /10/2022

4. (i) Act IPC Sections 279/337/338/427
(ii) Act Section.....
(iii) Act Sections.....
(iv) Other Act and Sections
5. Type of Final Report: Charge Sheet / Untraced/ Not Charge-Sheeted for want of evidence... **Charge Sheet**
If F.R. Un-occurred: False / Mistake of fact / Mistake of Law / Non-Cognizable / Civil nature
6. If Supplementary or Original **Original**.....
7. Name, Rank and Number (if any) of the I.O. (s).... **PSI Rinchen Yonzon**.....
8. (a) Name of Complainant / Informant **Shivadeep Rai**.....
(b) Father's/Husband's Name **Mohan Sahara Rai**.....
9. Date on which the complainant/Informant was informed of the result On **31 .10.2022**.....
10. Details of properties /Articles/Documents recovered/Seized during investigation and relied Upon (separate sheet can be attached, if necessary):

Sl.No	Property Description	Estimated Value (in Rs)	P.S. Property Register No.	From whom /where Recovered or Seized	Disposal
1	One Photocopy of Discharge certificate of Sagardeep Rai (31) S/O Mohan Sahara Rai from Central Referral Hospital, SMU, Gangtok.		PR No: 378/22	On being produced by Shivadeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong	Kept a copy of it at Malkhana
2	One Photocopy of Discharge certificate of Sagardeep Rai (31) S/O Mohan Sahara Rai from Neotia Getwel, Healthcare Centre, Siliguri, PS: Matigara.		PR No: 376/22	-DO-	-DO-
3	One original Insurance Certificate bearing policy no: 0319053120P113846436 in r/o Vehicle no: SK01P4659 valid till 25/02/2022 (During the time of incident)		PR No: 379/22	-DO-	Gave Zimmanam a
4	One original Driving Licence bearing no: SK-01-2016-0042593 in r/o Shivadeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong valid till 21/09/2035.		PR No: 379/22	-DO-	-DO-
5	One original Registration Certificate bearing no: SK01P4659 in r/o Sagardeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong		PR No: 379/22	-DO-	-DO-

- 11 A. Number of Accused Persons Charge - Sheeted. - **01(One)**
11 B. Number of Accused Persons not Charge - Sheeted. - Nil
12 12 Particulars of accused persons Charge-Sheeted -

- (i) Name : **Dharmendra Kumar**
(ii) Father's/Husband's Name : **Moharam Kumar**
(iii) Date/Year of Birth:
- (iv) Sex..... **Male**.....
(v) Nationality..... **Indian**.....
(vi) Religion..... **Hindu**.....
(vii) Whether SC/ST.....
(viii) Occupation.....
(ix) Address: **CMD no: 13893064w, Unit 741 TPT Company, ASC Bagdogra**
(x) Provisional Criminal No.....
(xi) Regular Criminal No.....
(xii) Date of surrender.....
(xiii) Date of release on.....
(xiv) Date on which forwarded to Court
- (xv) Under Acts and Section..... **u/s 279/337/338/427 IPC**.....

- (xvi) Name (s) and Address (s) of sureties.....
 (xvii) Previous convictions with case reference.....
 (xviii) Forwarded /Bailed by Police/Under Police Custody/ Bailed by Court/In Judicial Custody/ Absconding/Proclaimed Offender.....

(Attach Separate Sheet, if necessary)
 Page No. - 2

13. Particulars of accused persons not charge-sheeted (Suspected):

Seen & filed

- (i) Name.....
 (ii) Father's/Husband's Name.....
 (iii) Date/Year of Birth.....
 (iv) Sex.....
 (v) Nationality.....
 (vi) Religion.....
 (vii) Whether SC/ST.....
 (viii) Occupation.....
 (ix) Address.....
 (x) Provisional Criminal No Yes/No
 (xi) Suspicion Approved.....
 (xii) Forwarded /Bailed by Police/Bailed by Court/ In Judicial Custody/Absconding /Proclaimed Offender.....
 (xiii) Under Acts and Section.....
 (xiv) Any Special remarks including reasons for not chargeSheeting.....

L/C Kalimpong P.S
 03.11.22

(Attach Separate Sheet, if necessary)

14. Particulars of witnesses to be examined:

Sl. No.	Name	Father's/ Husband's Name	Date/Year Of Birth	Occupation	Address	Type of evidence To be tendered
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1. Shivadeep Rai S/O Mohan Sahara Rai of Dokan Dara, Lolay, PS: Kalimpong (Complainant)
2. Dawa Tamang S/O Lt Man Bahadur Tamang of Pachey , NH10, PS: Kalimpong.
3. Munna Tamang S/O Lt Man Bahadur Tamang of Pachey , NH10, PS: Kalimpong
4. Sagardeep Rai S/O Mohan Sahara Rai of Dokan Dara, Lolay, PS: Kalimpong (Victim)
5. Surya Rai S/O Mohan Sahara Rai of Dokan Dara, Lolay, PS: Kalimpong (Victim)
6. L/C 217 Sushmita Mangrati of Rangpo CP, PS: Kalimpong
7. CVF/841 Sabbu Rai of Rangpo checkpost, PS/Dist: kalimpong (Seizure witness)
8. CVF/899 Mangal Singh Tamang of Rangpo CP, Kalimpong P.S (Seizure witness)
9. HG/1228 Suren Gurung of Rangpo CP, PS: Kalimpong (seizure witness)
10. Dr. Sonam Wangchuk Bhutia of Central Referral Hospital , Tadong, Gangtok
11. Dr. Caroline Karthak of Central Referral Hospital , Tadong, Gangtok
12. Dr. Arijit Sharma of Central Referral Hospital , Tadong, Gangtok
13. PSI Rinchen Yonzon of Rangpo CP, PS: Kalimpong (I.O of the Case)
14. SI Tashi Tshering Sherpa of Kalimpong Police Station (R.O)

All may be summoned during the trial of the Case


15. If FIR is false, indicate action taken or proposed to be taken U/S 182/211 IPC...


16. Resut of laboratory analysis:

Brief facts of the case : are on 17.10.2021 the petitioner/complainant Shivadeep Rai along with his family members Mohan Rai@ Mohan Sahara Rai (Father), Surya Rai (Mother) and Sagardeep Rai (younger brother) were travelling in their Hyundai Vehicle bearing no: SK01P4659 around 15:00 hrs from Darjeeling to Gangtok and when they reached at Pachey, NH10 one army vehicle bearing no: 12D188992K coming with high speed from opposite direction heading towards Siliguri without caring of the narrow road and negligently hit the vehicle of the Complainant as a result of which the complainant's vehicle capsized down NH10 causing greivous injuries to his family members. His younger brother sustained fatel head injuries and underwent brain surgery at Central Referral Hospital , Manipal, Sikkim and was kept in ICU for fourteen (14) days. On 30th October he was taken to Neotia , Siliguri for further treatment where his left hand is paralysed and the vehicle of the Complainant is completely damaged.

17.

Dispatched ata.m./p.m.


Inspector-in-charge
Kalimpong Police Station
Dist. Kalimpong


Signature of the Investigation Officer
Submitting the Final report/Charge Sheet
Name: PSI Rinchen Yonzon
Rank: SI of Police
Date: 31.10.2022

Continued from Col no 17.

During investigation I examined the Complainant Shivadeep Rai s/o Mohan Sahara Rai and recorded his statement u/s 161 CrPC in a separate sheet of paper. Thereafter I visited the P.O, i.e, Pachey, NH10, PS: Kalimpong . I examined and prepared a rough sketch map along with its index but could not find any skid marks and both the vehicles were not present at the spot as the incident was of more than six (06) months old.

Later after local inquiry I recorded the statements of two witnesses (local residents)

U/S 161 CrPC in a separate sheets of paper who were there during the time of incident and their names are as follows:

- 1) Dawa Tamang s/o Lt. Man Bahadur Tamang of pachey, NH10, PS: Kalimpong
- 2) Munna Tamang s/o Lt. Man Bahadur Tamang of pachey, NH10, PS: Kalimpong.

During investigation I could collect the photographs of the P.O along with offending and the victim vehicle from SI Jonathan Lepcha as he was the I.O in c/w KPG PS Case no:250/22, Dt:17/10/2021 corresponding to the same incident and GR Case no:319/2021. Thereafter I submitted form 54, Accident Information report on airkpg21@gmail.com regarding information of the vehicle bearing no: SK01P4659.

During investigation I also recorded the statements of the following victims who were present inside the vehicle bearing no: SK01P4659 during the time of the accident U/S161 CrPC in separate sheets of paper :

- 1) Sagardeep Rai S/O Mohan Sahara Rai of Dokan Dara, LolayBusty, PS: Kalimpong.
- 2) Surya Rai W/O Mohan Sahara Rai of Dokan Dara, LolayBusty, PS: Kalimpong.

During investigation I seized copy of Medical reports and Discharge certificates of This time I seized copy of medical reports and Discharge certificates of Neotia Getwel, Hospital Siliguri under proper seizure list in presence of available witnesses on being produced by the Complainant Shivadeep Rai.

On perusal it could be learnt that the victim Sagardeep Rai had been referred to higher centre for further treatment and was admitted at Neotia Getwel, Health Care Centre , Siliguri, Matigara on 30.10.2021 and was discharged on 02.11.2021.

During investigation I tried making contact with the offending Driver Dharmendra Kumar CMD, No: 13893064w, ALS Unit 741 TPT Coy, ASC Bagdogra but could not find any trace of him. Thereafter I engaged source for the same.

During investigation I seized the original Documents of the vehicle bearing no: SK01P4659 on being produced by Shivadeep Rai S/O Mohan Sahara Rai of Dokan Dara, Loday , PS: Kalimpong under proper seizure list in presence of available witnesses, kept photocopies and gave Zimma of the original Documents .

During investigation I sent a requisition to The Superintendent , Sikkim Referral Hospital, SMIMS, Tadong, 5th Mile, Sikkim regarding the injury reports of the injured person in c/w this Case.

Accordingly I collected the copies of injury reports of three persons viz, 1) Shivadeep Rai (37yrs) {Complainant}, 2) Surya Rai (58yrs) {Complainant's Mother} and 3) Sagardeep Rai (31yrs) {Brother of the Complainant} . On perusal it could be learnt that the nature of injury was simple in Case of Shivadeep Rai (Complainant) but was found Grievous in case of Surya Rai (58yrs) {Complainant's Mother} and Sagardeep Rai (31yrs) {Brother of the Complainant} with a serious head injury as opined by the Medical Officer of Sikkim Referral Hospital, SMIMS, Tadong, 5th Mile, Sikkim respectively.

During investigation I arrived at ALS Unit 741 TPT Company, ASC Bagdogra and made an inquiry regarding the Driver Dharmendra Kumar CMD, No: 13893064w, Driver of the vehicle B.A No: 12D 188992K and could find him. Thereafter I served him notice U/S 41A CrPC and advised him to surrender before the Ld. Court , Kalimpong.

During investigation I also submitted a prayer for consultation & valuable opinion to Ld. Public Prosecutor, Kalimpong Court and I was suggested to submit an Chargesheet against accused person Dharmendra Kumar(56) S/O Moharam Kumar as he did not comply the notice U/S 41A CrPC and appeared the Ld. Court.

As the necessary part of investigation is almost completed and I informed I.C Kalimpong P.S and he suggested me to submit Chargesheet in this Case.

Hence a prima facie charge u/s 279/337/338/427 IPC could be well established against accused person/ Army Driver namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064w, ALS Unit 741 TPT Coy, ASC Bagdogra .

Therefore I am submitting Charge Sheet vide Kalimpong PS Charge Sheet No: 373 /22 Dated: 31/10/2022 ,u/s 279/337/338/427 IPC against accused Army Driver namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064 of, ALS Unit 741 TPT Coy, ASC Bagdogra to face his trial in the open court of Law. Hence the accused namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064 of, ALS Unit 741 TPT Coy, ASC Bagdogra may kindly be summoned before the Ld. Court to prove his offence as he has been served with notice U/S 41 A CrPC to shelter to take bail before Ld. Court.

Witnesses may kindly be summoned to prove the case.

The complainant has been informed about the result of investigation of the case.

Closed the CD as well as the investigation of the case.

Submitted

Rinchen Yonzon
31/10/22

PSI Rinchen Yonzon
Rangpo Checkpost
Kalimpong PS
Dist Kalimpong

1. Shivadeep Rai S/O Mohan Sahara Rai of Dokan Dara, Loday, PS: Kalimpong (Complainant) - 7384722009
2. Dawa Tamang S/O Lt Man Bahadur Tamang of Pachey , NH10, PS: Kalimpong. - 9775408451
3. Munna Tamang S/O Lt Man Bahadur Tamang of Pachey , NH10, PS: Kalimpong - 9775408451
4. Sagardeep Rai S/O Mohan Sahara Rai of Dokan Dara, Loday, PS: Kalimpong (Victim) - 8617625397
5. Surya Rai S/O Mohan Sahara Rai of Dokan Dara, Loday, PS: Kalimpong (Victim) - 7602453041
6. L/C 217 Sushmita Mangrati of Rangpo CP, PS: Kalimpong - 7384008866
7. CVF/841 Sabbu Rai of Rangpo checkpost, PS/Dist: kalimpong (Seizure witness) - 9609670153
8. CVF/899 Mangal Singh Tamang of Rangpo CP, Kalimpong P.S (Seizure witness) - 7001185794
9. HG/1228 Suren Gurung of Rangpo CP, PS: Kalimpong (seizure witness) -7602535227
10. Dr. Sonam Wangchuk Bhutia of Central Referral Hospital , Tadong, Gangtok - 03592270389
11. Dr. Caroline Karthak of Central Referral Hospital , Tadong, Gangtok - 03592270389
12. Dr. Arijit Sharma of Central Referral Hospital , Tadong, Gangtok - 03592270389
13. PSI Rinchen Yonzon of Rangpo CP, PS: Kalimpong (I.O of the Case) - 9163358077
14. SI Tashi Tshering Sherpa of Kalimpong Police Station (R.O) - 9734077111

W.B.F Form No. - 39

(CHARGE SHEET / FINAL REPORT)
(Under Section 173 Cr.P.C.)

1. IN THE COURT OF Ld. Chief Judicial Magistrate, Kalimpong
2. Dist. Kalimpong P.S. Kalimpong Year 2022 FIR No. 81/2022 Date 12.04.2022
3. Final Report/Charge Sheet No: 373 /2022 Date: 31 /10/2022
4. (i) Act ... IPC Sections 279/337/338/427
(ii) Act Section
(iii) Act Sections
(iv) Other Act and Sections
5. Type of Final Report: Charge Sheet / Untraced/ Not Charge-Sheeted for want of evidence... Charge Sheet
If F.R. Un-occurred: False / Mistake of fact / Mistake of Law / Non-Cognizable / Civil nature
6. If Supplementary or Original Original.....
7. Name, Rank and Number (if any) of the I.O.(s).... PSI Rinchen Yonzon.....
8. (a) Name of Complainant / Informant **Shivadeep Rai**.....
(b) Father's/Husband's Name **Mohan Sahara Rai**.....
9. Date on which the complainant/Informant was informed of the result On **31 .10.2022**.....
10. Details of properties /Articles/Documents recovered/Seized during investigation and relied Upon (separate sheet can be attached, if necessary):

Sl.No	Property Description	Estimated Value (in Rs)	P.S. Property Register No.	From whom /where Recovered or Seized	Disposal
1	One Photocopy of Discharge certificate of Sagardeep Rai (31) S/O Mohan Sahara Rai from Central Referral Hospital, SMU, Gangtok.		PR No: 374 /22	On being produced by Shivadeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong	Kept a copy of it at Malkhana
2	One Photocopy of Discharge certificate of Sagardeep Rai (31) S/O Mohan Sahara Rai from Neotia Getwel, Healthcare Centre, Siliguri, PS: Matigara.		PR No: 378 /22	-DO-	-DO-
3	One original Insurance Certificate bearing policy no: 0319053120P113846436 in r/o Vehicle no: SK01P4659 valid till 25/02/2022 (During the time of incident)		PR No: 379 /22	-DO-	Gave Zimmanam a
4	One original Driving Licence bearing no: SK-01-2016-0042593 in r/o Shivadeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong valid till 21/09/2035.		PR No: 379 /22	-DO-	-DO-
5	One original Registration Certificate bearing no: SK01P4659 in r/o Sagardeep Rai S/O Mohan Sahara Rai of Lolay, PS: Kalimpong		PR No: 379 /22	-DO-	-DO-

11 A. Number of Accused Persons Charge - Sheeted. - 01(One)

11 B. Number of Accused Persons not Charge - Sheeted. - Nil

12 Particulars of accused persons Charge-Sheeted -

- (i) Name : **Dharmendra Kumar**
(ii) Father's/Husband's Name : **Moharam Kumar**
(iii) Date/Year of Birth:
(iv) Sex..... **Male**.....
(v) Nationality..... **Indian**.....
(vi) Religion..... **Hindu**.....
(vii) Whether SC/ST.....
(viii) Occupation.....
(ix) Address: **CMD no: 13893064w, Unit 741 TPT Company, ASC Bagdogra**
(x) Provisional Criminal No.....
(xi) Regular Criminal No.....
(xii) Date of surrender.....
(xiii) Date of release on.....
(xiv) Date on which forwarded to Court.....
(xv) Under Acts and Section..... **u/s 279/337/338/427 IPC**.....



(viii) Name (a) and Address (a) of complainant
 (ix) Previous convictions with court reference
 (x) Forwarded /Bailed by Police/Under Police Custody/ Bailed by Court/ In Judicial Custody/ Absconding/Proclaimed Offender

(Attach Separate Sheet, if necessary)
 Page No. 2

13. Particulars of accused persons not charge sheeted (Suspended)

- (i) Name
- (ii) Father's/Husband's Name
- (iii) Date/Year of Birth
- (iv) Sex
- (v) Nationality
- (vi) Religion
- (vii) Whether SC/ST
- (viii) Occupation
- (ix) Address
- (x) Provisional Criminal No. Yes/No
- (xi) Suspicion Approved
- (xii) Forwarded /Bailed by Police/Bailed by Court/ In Judicial Custody/Absconding /Proclaimed Offender
- (xiii) Under Acts and Section
- (xiv) Any Special remarks including reasons for not charge sheeting

(Attach Separate Sheet, if necessary)

14. Particulars of witnesses to be examined

Sl. No.	Name	Father's/ Husband's Name	Date/Year Of Birth	Occupation	Address	Type of evidence To be tendered
1.	Shivadeep Rai	S/O Mohan Sahara Rai			Dokan Dara, Lolay, P5: Kalimpong (Complainant)	
2.	Dawa Tamang	S/O Li Man Bahadur Tamang			Pachey , NH10, P5: Kalimpong.	
3.	Munna Tamang	S/O Li Man Bahadur Tamang			Pachey , NH10, P5: Kalimpong	
4.	Sagardeep Rai	S/O Mohan Sahara Rai			Dokan Dara, Lolay, P5: Kalimpong (Victim)	
5.	Surya Rai	S/O Mohan Sahara Rai			Dokan Dara, Lolay, P5: Kalimpong (Victim)	
6.	L/C 217 Sushmita	Mangrati			Rangpo CP, P5: Kalimpong	
7.	CVF/841 Sabbu Rai				Rangpo checkpoint, P5/Dist: Kalimpong (Seizure witness)	
8.	CVF/899 Mangal Singh	Tamang			Rangpo CP, Kalimpong P.5 (Seizure witness)	
9.	HG/1228 Suren Gurung				Rangpo CP, P5: Kalimpong (seizure witness)	
10.	Dr. Sonam Wangchuk	Bhutia			Central Referral Hospital , Tadong, Gangtok	
11.	Dr. Caroline	Karthak			Central Referral Hospital , Tadong, Gangtok	
12.	Dr. Arijit	Sharma			Central Referral Hospital , Tadong, Gangtok	
13.	PSI Rinchen	Yonzon			Rangpo CP, P5: Kalimpong (I.O of the Case)	
14.	SI Tashi Tshering	Sherpa			of Kalimpong Police Station (R.O)	

All may be summoned during the trial of the Case

- 15. If FIR is false, indicate action taken or proposed to be taken U/S 182/211 IPC...
- 16. Result of laboratory analysis:

Brief facts of the case : are on 17.10.2021 the petitioner/complainant Shivadeep Rai along with his family members Mohan Rai@ Mohan Sahara Rai (Father), Surya Rai (Mother) and Sagardeep Rai (younger brother) were travelling in their Hyundai Vehicle bearing no: SK01P4659 around 15:00 hrs from Darjeeling to Gangtok and when they reached at Pachey, NH10 one army vehicle bearing no: 12D188992K coming with high speed from opposite direction heading towards Siliguri without caring of the narrow road and negligently hit the vehicle of the Complainant as a result of which the complainant's vehicle capsized down NH10 causing greivous injuries to his family members. His younger brother sustained fatal head injuries and underwent brain surgery at Central Referral Hospital , Manipal, Sikkim and was kept in ICU for fourteen (14) days. On 30th October he was taken to Neotia , Siliguri for further treatment where his left hand is paralysed and the vehicle of the Complainant is completely damaged.

17.

Dispatched ata.m./p.m.

[Handwritten signature]
01/10/22

Inspector -in-charge
Kalimpong Police Station
Dist. Kalimpong

[Handwritten signature]
31/10/22
Signature of the Investigation Officer
Submitting the Final report/Charge Sheet
Name: PSI Rinchen Yonzon
Rank: SI of Police
Date: 31.10.2022

Continued from Col no 17.

During investigation I examined the Complainant Shivadeep Rai s/o Mohan Sahara Rai and recorded his statement u/s 161 CrPC in a separate sheet of paper. Thereafter I visited the P.O, i.e, Pachey, NH10, PS: Kalimpong . I examined and prepared a rough sketch map along with its index but could not find any skid marks and both the vehicles were not present at the spot as the incident was of more than six (06) months old.

Later after local inquiry I recorded the statements of two witnesses (local residents) U/S 161 CrPC in a separate sheets of paper who were there during the time of incident and their names are as follows:

- 1) Dawa Tamang s/o Lt. Man Bahadur Tamang of pachey, NH10, PS: Kalimpong
- 2) Munna Tamang s/o Lt. Man Bahadur Tamang of pachey, NH10, PS: Kalimpong.

During investigation I could collect the photographs of the P.O along with offending and the victim vehicle from SI Jonathan Lepcha as he was the I.O in c/w KPG PS Case no:250/22, Dt:17/10/2021 corresponding to the same incident and GR Case no:319/2021. Thereafter I submitted form 54, Accident Information report on airkpg21@gmail.com regarding information of the vehicle bearing no: SK01P4659.

During investigation I also recorded the statements of the following victims who were present inside the vehicle bearing no: SK01P4659 during the time of the accident U/S161 CrPC in separate sheets of paper :

- 1) Sagardeep Rai S/O Mohan Sahara Rai of Dokan Dara, LolayBusty, PS: Kalimpong.
- 2) Surya Rai W/O Mohan Sahara Rai of Dokan Dara, LolayBusty, PS: Kalimpong.

During investigation I seized copy of Medical reports and Discharge certificates of This time I seized copy of medical reports and Discharge certificates of Neotia Getwel, Hospital Siliguri under proper seizure list in presence of available witnesses on being produced by the Complainant Shivadeep Rai.

On perusal it could be learnt that the victim Sagardeep Rai had been referred to higher centre for further treatment and was admitted at Neotia Getwel, Health Care Centre , Siliguri, Matigara on 30.10.2021 and was discharged on 02.11.2021.

During investigation I tried making contact with the offending Driver Dharmendra Kumar CMD, No: 13893064w, ALS Unit 741 TPT Coy, ASC Bagdogra but could not find any trace of him. Thereafter I engaged source for the same.



During investigation I seized the original Documents of the vehicle bearing no: SK01P4659 on being produced by Shivadeep Rai S/O Mohan Sahara Rai of Dokan Dara, Loday, PS: Kalimpong under proper seizure list in presence of available witnesses, kept photocopies and gave Zimma of the original Documents.

During investigation I sent a requisition to The Superintendent, Sikkim Referral Hospital, SMIMS, Tadong, 5th Mile, Sikkim regarding the injury reports of the injured person in c/w this Case.

Accordingly I collected the copies of injury reports of three persons viz, 1) Shivadeep Rai (37yrs) {Complainant}, 2) Surya Rai (58yrs) {Complainant's Mother} and 3) Sagardeep Rai (31yrs) {Brother of the Complainant}. On perusal it could be learnt that the nature of injury was simple in Case of Shivadeep Rai (Complainant) but was found Grievous in case of Surya Rai (58yrs) {Complainant's Mother} and Sagardeep Rai (31yrs) {Brother of the Complainant} with a serious head injury as opined by the Medical Officer of Sikkim Referral Hospital, SMIMS, Tadong, 5th Mile, Sikkim respectively.

During investigation I arrived at ALS Unit 741 TPT Company, ASC Bagdogra and made an inquiry regarding the Driver Dharmendra Kumar CMD, No: 13893064w, Driver of the vehicle B.A No: 12D 188992K and could find him. Thereafter I served him notice U/S 41A CrPC and advised him to surrender before the Ld. Court, Kalimpong.

During investigation I also submitted a prayer for consultation & valuable opinion to Ld. Public Prosecutor, Kalimpong Court and I was suggested to submit an Chargesheet against accused person Dharmendra Kumar(56) S/O Moharam Kumar as he did not comply the notice U/S 41A CrPC and appeared the Ld. Court.

As the necessary part of investigation is almost completed and I informed I.C Kalimpong P.S and he suggested me to submit Chargesheet in this Case.

Hence a prima facie charge u/s 279/337/338/427 IPC could be well established against accused person/ Army Driver namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064w, ALS Unit 741 TPT Coy, ASC Bagdogra.

Therefore I am submitting Charge Sheet vide Kalimpong PS Charge Sheet No: 373 /22 Dated: 31/10/2022 ,u/s 279/337/338/427 IPC against accused Army Driver namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064 of, ALS Unit 741 TPT Coy, ASC Bagdogra to face his trial in the open court of Law. Hence the accused namely Dharmendra Kumar (56) S/O Moharam Kumar CMD, No: 13893064 of, ALS Unit 741 TPT Coy, ASC Bagdogra may kindly be summoned before the Ld. Court to prove his offence as he has been served with notice U/S 41 A CrPC to shelter to take bail before Ld. Court.

Witnesses may kindly be summoned to prove the case.

The complainant has been informed about the result of investigation of the case.

Closed the CD as well as the investigation of the case.

Submitted

Rinchen Yonzon
31/10/22

PSI Rinchen Yonzon
Rangpo Checkpost
Kalimpong PS
Dist Kalimpong

