

**FORM 54**  
**ACCIDENT INFORMATION REPORT**  
**(Rule 150(1) of Central Motor Vehicle Rule 1989)**

1. Name of the police station :- Kalimpong P.S.
2. CR No/ Traffic Accident Report (FIR/Crime No) :- Kalimpong P.S. case No. 106/23 Dt. 13.08.2023 U/S 279/337/338 IPC.
3. Date, time and place of the accident :-  
Kirney Bazar Near 7<sup>th</sup> Mile, NH-10,  
PS+Dist- Kalimpong
4. Name and full Address of the injured / ~~deceased~~ :- (i) Roshan Chettri, S/O- Kul Bdr Chettri  
(ii) Leela Raj Limboo, S/O- Shree Man Limboo  
(iii) Bhim Hang Limboo, S/O- Shree Man Limboo  
(iv) Susmita Limboo, W/O- Keshar Man Limboo  
(v) Wabin Limboo, S/O- Dhan Bir Limboo  
All of Hee Gaon, Lower Lungzick  
PS-Gayzing, Dist-Gayzing West Sikkim
5. Name of the hospital to which he /she was  
Examined/Forward :- Rangpoo Sikkim Hospital
6. Registration number and type of vehicle :- SK-02-T/1133 (WagonR)
7. Driving license particulars:
- (a) Name and address of the Driver :- Roshan Chettri, S/O- Kul Bdr Chettri  
of Hee Gaon, Lower Lungzick  
PS-Gayzing, Dist-Gayzing West Sikkim
- (b) Driving license number and date of expiry :-SK NT/337/14/JRT Date of Issue:  
31.11.2014 Valid upto 30.11.2033.
- (c) Address of the issuing authority :- RTO, Jorethang, South Sikkim
- (d) Regd. No. in case of Public service vehicle :-
8. Name and address of the owner of the vehicle at  
the time of the accident. :- Budhi Lall Chettri  
S/O- Chabi Laal Chettri,  
R/O-HN 89, Upper Sapong, Sapong,  
PS- Gyalshing,  
Gyalshing Sikkim  
(Ph-7797271335)
9. (I) Name and address of the insurance company : Reliance General Insurance Company LTD  
with whom the vehicle was insured and the

Particulars of the Divisional Office of the said  
Insurance Company

10. Number of Insurance Policy : Policy No. 991792223380010694  
/ Insurance Certificate and the  
Date of Validity of the Insurance Police valid till: 15-11-2023  
Policy/ Insurance Certificate

11. Registration Particulars of the vehicle (Class of the vehicle):- SK-02-T/1133 (WagonR)

Owner name : Budhi Lall Chettri  
S/O- Chabi Laal Chettri,  
R/O-HN 89, Upper Sapon, Sapon,  
PS- Gyalshing,  
Gyalshing Sikkim  
(Ph-7797271335)

12. Registration No & Class of vehicle: SK-02-T/1133 (WagonR)

i) Engine No. :- K10CNC199570  
ii) Chassis No. :- MA3JMTB1SNK795135

13. Route Permit his particulars: - N/A

**14. Action taken if any and the result there on:**

## FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

4553

Dist Kalimpang P.S. Kalimpang Year 2023 FIR No. 106/23 Date 13-8-23  
 (i) Act IPC Sections 279/337/338

(iii) Act IPC Sections 279/337/338 (iv) Others Acts & Sections None

(ii) Occurrence of Offence : Day 13-8-23 Date From Not mentioned Date To None

Time Period 10-25 hrs. Time From 10-25 hrs. Time To 10-25 hrs.

(b) Information received at P.S. Date 13-8-23 Time 10-25 hrs.

(c) General Diary Reference : Entry No(s) 519 Time 10-25 hrs.

Type of Information : Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. 19 Km / North Beat No. JLNO-02

(d) Address Kirney Bazar, Near 7<sup>th</sup> Mile, Kalimpang

(e) In case outside limit of this Police Station, then the

Name of the P.S. Kalimpang District Kalimpang

Complainant / Informant :

(a) Name Sri - Binod Shah

(b) Father's / Husband's Name Sri - Late - Shibmalh Prasad

(c) Date / Year of Birth None (d) Nationality None

(e) Passport No. None Date of Issue None Place of Issue None

(f) Occupation None

(g) Address Malli Bazar, B + Dist - Kalimpang

Details of known / suspected / unknown accused with full particulars Driver of Vehicle bearing

(Attach separate sheet, if necessary) : Regd NO - SK-02T/1133

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 None

Inquest Report / U.D. Case No., if any None

FIR Contents (Attach separate sheets, if required) : The Original Written Complaint which is treated as FIR is enclosed herewith / reproduced overleaf.

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 Sr. Alamgir Sarkar of Malli O.P. to take up

investigation / refused investigation / transferred to P.S. None on point of

jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant /

Informant / Informant

14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court :

Signature of the Officer-In-Charge 13/8/23  
 Inspector-In-Charge Police Station  
 Kalimpang District  
 Name : SARAN SARKAR  
 Rank : SI OF POLICE  
KALIMPANG POLICE STATION

To, O.C Melli o/p  
Kalimpang P/s  
Melli Bazar  
Dt: 13/8/2023

Received on  
13.8.23 at 09:15 AM  
vide melli o/p  
No-279 of  
1208-23 and  
forwarded to  
11C Kalimpang  
PS with a  
report to  
State & District  
Case under proper  
section of law.

Sub: Complaint

13.08.23  
OFFICER-IN-CHARGE  
MELLI OUT POST  
P.S. KALIMPONG

Sir, म. विनोद साह 50 प शिवनाथ मल्ल मल्लो  
धनार थाना ज० कालिम्पंग, तपाई लुई ओ. पुचिन  
गोड्डु चारुडु कि अलो 11/8/23 को समय म  
आफना गोडी लिएर के काम विषय लिखिम 12/8/23  
गएको थिए अनि आफना काम सकेर हुने 12/8/23  
को दिन बिहान 10 बजेतिर चा फर्केर क्रमा  
किले वना हेरु सुधमाए ओ भाइयुवदा मल्ल  
केले कि 6321 सेना एका वानर गोड्डु जनिमा  
को SK02T 1133 ले बायो किनाओ गएको सिमे  
को पैरापेटलाई चक्रा मोएर एक सिडे-ट मेर  
को थियो, त्यसपछि किले वजुर आएर त्यह  
दिया (वानर रोकेर सुने कि त्यो गोड्डुमा म  
को हाइमर लगाएर रोकेर थोटा साथै निनी  
हेरु मध्ये एक जनारु लोउकोमा गहिरै  
चोटा लागेको ह भनेर सुन पाए साथै निनी  
हेरु सिबेलि रुम्फे सिक्किम 11/8/23 को आलेर  
को कुरापति हुने, मेरो अ-दाकुमा त्यो गोड्डोको  
हाइमरले तेजु गति अनि लापरवाही सित गोड्डो चला  
एको कारणले दुध दला भएको हुनसक्छ, अहिले  
पनि त्यो गोड्डो त्यही छ।  
यसै हजुरलाई था निवेदन गर्दैछु कि  
तपाईहरु को कामेन अनुसार यह घटनाको  
सोख्या गरिदिनु लवस भाने।

Received on-13/8/23 at 10.25 hrs vide  
Kalimpang PS 40E No-519 dt-13/8/23 and  
forwarded Kalimpang PS Case No-106/23 dt-  
13.8.23 U/s-279/33E/338 IPC.

Inspector-in-Charge  
Kalimpang Police Station  
Dist. Kalimpang

हजुरको विवरणी  
विनोद साह  
मल्लो वजुर  
6295552950





## SEIZURE LIST

P.R NO. 169/23

Kalimpong PS Case No. 106/23 Dt: 13/08/2023  
VIS - 279/337/338 IPC

1. DATE & TIME OF SEIZURE

: On 13.08.2023 In between  
15:15 hrs to 15:35 hrs.

2. PLACE OF SEIZURE

: At 7th mile, Near Kisney Bazar  
melli, Besides NH-10 under Kalimpong  
PS.

3. FROM WHOM SEIZED

: From PO as shown by the Complaint  
Binod Sahu S/O - Lt. Shibnath Prasad  
R/O - melli Bazar, PS & Dist - Kalimpong

4. NAME OF WITNESS

(I) C/ Bishnu Roy

(II) C/442 Suman Mahato

Both of melli OP, Kalimpong PS.

5. DESCRIPTION OF SEIZED ARTICLES :

(i) One white colour Wagon R vehicle bearing  
Regd NO. SK-02-T/1133 with front side  
damage condition.

- seized as alambat.

6. SIGNATURE OF WITNESS

(I) C/O Bishnu Roy

(II) C/442 Suman Mahato

seized by me.

13/08/2023

SI Alamgir Sarkar  
melli OP, Kalimpong PS.

SEIZED BY ME

**CHARGE SHEET / FINAL REPORT.**

(Under Section 173 Cr.P.C.)

IN THE COURT OF LD CHIEF JUDICIAL MAGISTRATE, KALIMPONG.

1. District: - **Kalimpong** P.S.: - **Kalimpong** Year: - **2023** FIR. No.: - **106/23** Dated: - **13.08.2023**2. Charge sheet No: 3. Date. **04.11.2023**4. i) Act **IPC** Sections. **279/337/338.**

ii) Act Sections.

iii) Act ..... Sections.....

iv) Other Acts and Sections.....

5. Type of Final Report: Charge Sheet / Untraced / Untraced / Un occurred / Not Charge- Sheeted for want of evidence:..... **Charge Sheet** .....

6. If F.R. unoccurred: False / Mistake of Fact / Mistake of law / Non-cognizable / Civil nature.

7. If Original / Supplementary :- **Original**8. Name, of the IO :- **SI Alamgir Sarkar of Melli OP under Kalimpong PS.**9. (a) Name of complainant :- **Binod Sah**(b) Father's / Husband's Name: **S/O Lt. Shib Nath Sah of Melli Bazar PS & Dist-Kalimpong**10. Date on which the Complainant/Informant was informed of the result: - **04.11.2023**

11. Details of Properties/Articles/Documents recovered/Seized during investigation and relied upon Separate list can be attached, if necessary:

Sl. No.	Description of the articles	Estimated Value(in Rs.)	P.S. Property Register No.	From Whom / /where Recovered or Seized.	Disposal
1.	(i) One white colour WagonR vehicle bearing Registration No. SK-02-T/1133 with front side damage condition		169/23	From In between Mamkhola and 7 <sup>th</sup> Mile, NH-10, PS+Dist. Kalimpong As shown and identified by the complainant Binod Sah	An Order may kindly be passed for the Disposal of the side noted seized items.
2.	(i) One Original Registration certificate vide Registration No. SK-02-T/1133, Chasis No. MA3JMTB1SNK795135, Engine No. K10CNC199570 the name of owner Budhi Lall Chettri, S/O- Chabi Laal Chettri, R/O-HN 89, Upper Sapong, Sapong, PS- Gyalshing, Gyalshing Sikkim, Model-WagonR VXi, Colour- Superior White, Vehicle Class- Motor Cab (LPV). (ii) Original Insurance Certificate in support of vehicle bearing No. SK-02-T/1133, Policy No. 991792223380010694, Valid Upto- 15-11-2023, Reliance General Insurance. (iii) One original Pollution under Control Certificate in support of vehicle bearing No. SK-02-T/1133 having Certificate No. P5GYG322001640, Valid Upto 12.02.2024. (iv) One Sell Deed Agreement in support of vehicle bearing No. SK-02-T/1133 between, Budhi Lall Chettri (1 <sup>st</sup> Party/Seller) and Roshan Chettri (2 <sup>nd</sup> Party/Buyer) (v) One Driving License vide D/L No. SKNT/337/14/JRT in the name of Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing West Sikkim, DOB- 20.03.1995, Valid till- 30.11.2033, Issuing Authority-RTO Jorethang.		183/23	As being produce by Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing	An Order may kindly be passed for the Disposal of the side noted seized items.

11A. Number of accused persons charge- sheeted: **01 (One)**

11B. Number of accused persons not charge- sheeted: **NIL**

**12. Particulars of accused persons charge-sheeted:**

- (i) Name: **Roshan Chettri**  
(ii) Father's name: **Kul Bdr Chettri**  
(iii) Date / Year of birth: **28 yrs**  
(iv) Sex: **Male**  
(v) Nationality: **Indian**  
(vi) Passport No:      Date of issue:      Place of issue:  
(vii) Religion: **Hindu**  
(viii) Whether SC / ST:  
(ix) Occupation: **Driver**  
(x) Address: Lower **Lungzick Gayzing, Dist-Gayzing**  
(xi) Provisional Criminal No:  
(xii) Regular Criminal No.  
(xiii) Date of arrest:  
(xiv) Date of release on bail.  
(xv) Date on which forwarded to court:  
(xvi) Under Acts & Sections:  
(xvii). Name (s) of bailers / sureties and Address:  
(xviii) Previous convictions with case reference:-  
(xix) Status of the accused:-  
Forwarded / Bailed by Police / **Bailed by Court** / in judicial Custody / Absconding /  
Proclaimed Offender. :- **Bailed by Court**

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

- (i) Name:  
(ii) Father's / Husband's Nam:  
(iii) Date / Year of birth:  
(iv) Sex:  
(v) Nationality:  
(vi) Passport No:      Date of issue:      Place of issue:  
(vii) Religion:  
(viii) Whether SC / ST:  
(ix) Occupation:  
(x) Address:  
(xi) Provisional Criminal No:  
(xii) Regular Criminal No.  
(xiii) Suspicion Approved:- Yes / No  
(xiv) Forwarded/Bailed by Police/Bailed by Court /in Judicial Custody /Not arrested:-  
(xv) Under Act and Section  
(xvi) Any Special remarks including reason for not charge sheeting:

**13. Particulars of witnesses to be examined:**

Sl. No.	Name of the witnesses	Fathers/ Husband name	Full address	Type or relation with the complainant (Seizure, interested etc).
1	Binod Sah (Ph-6295552950)	S/O Lt. Shib Nath Sah	Melli Bazar PS & Dist-Kalimpong	Complainant
2	Leela Raj Limboo (31yrs) (Ph-9907496396)	S/O- Shree Man Limboo	Lower Lungzick, PS- Gayzing, Dist- Gayzing West Sikkim	Victim + Witness
3	Bhim Hang Limboo (19 yrs) (Ph-8509773199)	S/O- Shree Man	Lower Lungzick, PS- Gayzing, Dist- Gayzing West Sikkim	Victim + Witness



4	Susmita Limboo, (23 yrs) (Ph-9635047596)	W/O- Keshar Man Limboo	Lower Lungzick, PS- Gayzing, Dist- Gayzing West Sikkim	Victim + Witness
5	Nabin Limboo, (37 yrs) (Ph-9775817050)	S/O- Lt. Dhan Bir Limboo	Hee Gaon, PS- Dantam, Dist- Gayzing West Sikkim	Victim + Witness
6	Rudra Prasad Chettri (37 yrs) (Ph- 9832223025)	S/O- Dirga Singh Chettri	Lower Sapon, PS- Dentam, Dist-West Sikkim	Seizure Witness
7	C/442 Suman Mahata (Ph-9382013286)	-	Melli OP under Kalimpong PS	Seizure Witness
8	C/09 Bishnu Roy (Ph-9126546944)	-	Melli OP under Kalimpong PS	Seizure Witness
9	Sri Bhola Nath Baruri (Ph-9434047580)	-	Automobile Engineer, Mechanical expert, Sevoke Road, Siliguri, PS-Bhaktinagar, Dist- Jalpaiguri	Mechanical Expert
10	Dr. N.Topden Bhutia	-	HWC PHC Rangpo, Helath & FW Deptt., Government of Sikkim PS-Rangpo, Dist-East Sikkim	Medical Officer
11	Saran Sarki (Ph-7001818513)	-	Kalimpong PS	Recording Officer
12	SI Alamgir Sarkar (9851550087)	-	Melli OP under Kalimpong PS	Investigating officer

14. If F.R. is false, indicate action taken or proposed to be taken u/s 182/211 IPC

15. Result of Laboratory Analysis.

**16. Brief Facts of the case:-**

The fact of the case in brief is that on 13.08.2023 one Binod Sah S/O Lt. Shib Nath Sah of Melli Bazar PS & Dist-Kalimpong called at Melli OP and lodged a written complaint to the effect on 12.08.2023 morning around 10.00 hrs while he was returning from Rangpo on the way In between Mamkhola and 7<sup>th</sup> Mile, NH-10 he found that one WagonR vehicle bearing Regd No. SK-02-T/1133 met an accident dashed in road side a RCC parapet. When he halt for tea at Kirney bazar he could know that total all the passengers including the driver of the said vehicle got injury and one of them sustained grievous head injury and shifted them to Rangpo Sikkim Hospital for treatment, later the complaint came to know that the accident occurred due to high speed and negligently driving by the driver. Over the written complaint dully forwarded by O/C Melli OP I/C Kalimpong PS started Kalimpong P.S. case No. 106/23 Dt 13.08.2023 U/S 279/337338 IPC and endorsed to me for its Investigate the case and myself took up its investigation.

Forwarded

Signature of the investigating Officer.  
Submitting the Charge Sheet.

SAC

04/11/2023

Inspector-In-Charge  
Kalimpong Police Station  
Dist. Kalimpong

Name:- Alamgir Sarkar  
Rank:- SI of Police, Melli OP,  
Kalimpong PS



During investigation of the case, I visited the PO and drew rough sketch map of PO with Index. Examine the complainant Binod Sah S/O Lt. Shib Nath Sah of Melli Bazar PS & Dist-Kalimpong. I recoded the statement of available witnesses U/S 161 CrPC. Seized the offended vehicle One white colour WagonR vehicle bearing Registration No. SK-02-T/1133 with front side damage condition vide PR No. 169/23.

Examine the vehicle mechanically and Collected Mechanical examination report and the mechanical expert Sri Bhola Nath Baruri (Automobile Engineer, Mechanical expert), Sevoke Road, Siliguri, PS-Bhaktinagar, Dist-Jalpaiguri opined that **"From the Technical point of view the cause of accident of the above-mentioned vehicle appears to be other than mechanical failure"**

Sent notice U/S 41(A) CrPC to the accused Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing the driver of the Accidental vehicle Regd No. SK-02-T/1133 and he compliance the notice, I interrogate him and during interrogation he confessed his guilt.

Collect the injury report of the victims from The Medical Officer, Primary Health Centre Rangpo Sikkim, Dist-East Sikkim vide MEMO NO. 1929/RPH/2023-24 DATE. 02.09.2023 and the Medical Officer Shri N.Topden Bhutia of HWC PHC Rangpo, Helath & FW Deptt., Government of Sikkim opined that of- (i) Leela Raj Limboo (31yrs), S/O- Shree Man Limboo of Lower Lungzick, PS-Gayzing, Dist- Gayzing West Sikkim – **"head injury over frontal injury"** (ii) Bhim Hang Limboo (19 yrs), S/O- Shree Man Limboo of Lower Lungzick, PS-Gayzing, Dist-Gayzing West Sikkim – **"case not registred."** (iv) (iii) Susmita Limboo, (23 yrs) (Ph-9635047596) W/O- Keshar Man Limboo of Lower Lungzick, PS-Gayzing, Dist- Gayzing West Sikkim – **"there was no external injury."** (iv) Nabin Limboo, (37 yrs ), (Ph-9775817050), S/O- Lt. Dhan Bir Limboo of Hee Gaon, PS-Dantam, Dist- Gayzing West Sikkim – **"case not registred."** And the driver (v) Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing West Sikkim – **"there was no external injury."**

Seized the original documents of the WagonR vehicle bearing Regd No. SK-02-T/1133. R/C vide Registration No. SK-02-T/1133, Chasis No. MA3JMTB1SNK795135, Engine No. K10CNC199570 the name of owner Budhi Lall Chettri, S/O- Chabi Laal Chettri, R/O-HN 89, Upper Sapong, Sapong, PS- Gyalshing, Gyalshing Sikkim, Model-WagonR VXI, Colour- Superior White, Vehicle Class- Motor Cab (LPV), Insurance, PUCC, One Sell Deed Agreement in support of vehicle bearing No. SK-02-T/1133 between, Budhi Lall Chettri (1<sup>st</sup> Party/Seller) and Roshan Chettri (2<sup>nd</sup> Party/Buyer) and D/L of the accused driver Roshan Chettri.

According to the statement of the on boarded passengers of the vehicle it could be learnt that on 12.08.2023 Leela Raj Limboo, Bhim Hang Limboo, Susmita Limboo, Wabin Limboo was coming from Gayzing Hospital towards New STNM Hospital Gangtok Sikkim by The vehicle Regd No. SK-02-T/1133 driven by Roshan Chettri as Bhim Hang Limboo was a Snake bite patient in the vehicle and need to reach in STNM Hospital Gangtok Sikkim as soon as possible. On the way at In between Mamkhola and 7<sup>th</sup> Mile on NH-10 at about 00.00 hrs to 01.00 hrs they met with the accident and received injuries on their persons, accordingly leaving their accidental vehicle on the roadside spot they manage a vehicle and went to Sikkim Rangpo Hospital for their treatment. After treatment the doctor discharged all of them. That was night time and the rode is in hilly region Road NH-10 despite of all this the driver Roshan Chettri driving his vehicle with very high speed and rash and negligence driving which causing the accident injured the passengers and endangers the life of the on boarded passengers.


As the prima facie Charge has been well established against the accused Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing the driver of the Accidental vehicle Regd No. SK-02-T/1133.

I therefore consult with my superior I/C Kalimpong PS about the merit and demerit of the case and for submission of charge sheet of the case and after go through the case docket he suggested me to submit the charge sheet against the above noted accused u/s 279/337/338 IPC.

I am therefore submitting charge sheet in this case against the accused Roshan Chettri (28 yrs), S/O- Kul Bdr Chettri of Lower Lungzick Gayzing, Dist-Gayzing Vide Kalimpong PS Charge Sheet No. 168/23 Dated:- 04-11-2023 U/S 279/337/338 IPC to face the trail in the open court of law. The witnesses and evidences will prove the case.

(The complainant has been informed regarding the result of the case).

Submitted

  
04/11/2023

SI Alamgir Sarkar  
Melli OP, Kalimpong PS

=====X=====