

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

- 1) Name of the Police Station:** Lava Police Station
- 2) CR No./ Traffic Accident Report:** Lava PS Case no: 10 /23, Dt: 20.03.2023, U/S 279/337/338/427 IPC.R/W sec183 MV Act
- 3) Date, time and place of accident:** On 20.03.2023 at about 09:00 hrs Tarkhola (NH10) ,Near 39 no Constituency Sabhashad Residence PS-Lava Dist: Kalimpong
- 4) Name and full address of the injured / deceased:** Kishan Subba S/O Dambar Subba Of 11th mile mangchu Forest Village.
- 5) Name of the Hospital he/she was moved:** Rangpo PHC then refer To Kalimpong District Hospital
- 6) Registration Number of vehicle and the type of the vehicle:** WB66U8181 (Creta)
- 7) Driving Licence particulars:** Arbindh KR Byahut S/O P.S Byahut Of Melli Bazar South Sikkim
 - (a) Driving Licence number and date of expiry:** SK0420120000358 Valid till 16/07/2032
 - (b) Address of the issuing authority:** RTO Gangtok
 - (c) 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:** Pabitra Chettri D/O Man Bdr Chettri of melli south 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:** uninsured vehicle
- 10) Number of the Insurance Policy/ Insurance Certificate and the date of validity of the Insurance Policy/Insurance Certificate:**
- 11) Registration particulars of the vehicle (class of vehicle):**
 - (a) Registration no:** WB66U8181
 - (b) Engine no:** D4FCFM459411
 - (c) Chassis no:** MALC281RLFM044199k
- 12) Route Permit particulars:**
- 13) Action Taken, if any, and the result thereof:** Lava PS Case no: 10 /23, Dt: 20.03.2023, U/S 279/337/338/427 IPC.R/W sec183 MV Act

FIRST INFORMATION REPORT (Under Section 154 Cr. P.C.)

910

Dist. KALIMPONG P.S. LAVA Year 2025 FIR No. 10/25 Date 20/03/2023

(i) Act IPC Sections 279/337/338/427 IPC R/W Sections

(ii) Act M.V. Sections 183 of M.V. Act (iv) Others Acts & Sections

(a) Occurrence of Offence: Day Monday Date From Date To On 20/03/23 at 09:00 hrs

Time Period Time From Time To

(b) Information received at P.S. Date 20/03/2023 Time 13:30 hrs

(c) General Diary Reference: Entry No(s) 598 Time 13:30 hrs

Type of Information: ☒ Written / Oral

Place of Occurrence: (a) Direction and Distance from P.S. Approx 33 Km North Beat No. JK No: 02

(d) Address 10th Mile, Tarekhala, NH10, P.S: Lava, Dist: Kalimpong

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

Complainant / Informant:

(a) Name Dambax Thapa

(b) Father's / Husband's Name Mr. Man Bahadur Thapa

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

(e) Passport No. Date of Issue: Place of Issue

(f) Occupation

(g) Address Helli Bazar, South Sikkim

Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) ① Kishan Subba s/o Dambax Subba of 11th Mile, Marjchu Forest, NH10, P.S: Lava, Dist: Kalimpong

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 created as FIR is attached herewith.

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 ASI Sanjay Cheltri of Rangpo CP, P.S: Lava to take up investigation / refused 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.

14. Signature / Thumb impression
of the Complainant / Informant

15. Date & Time of despatch to the court:

Signature of the Officer-in-Charge

Name: SI Laxman Pokhrel (In-charge P.S)

Rank: No. Sub Inspector of Police (WBP)

Dist: Kalimpong

[illegible][illegible]

३१. मध्यमपत्र लिख

२५/१२/२०२०

25-10-2011

ਪਿਤਾ ਜੀਵੀਤ ਮਾਤਾ ਬੀਬਾਤ

— 411 —

गणेश गणेश

दो ज्ञान विनिर्दिष्ट

7203905542.

Received at Kudu P.S. on
20/02/23 vide Kudu P.S.
Order No. 598 and
Served Kudu P.S. Case
No. 10/23, Dt 20/02/23.
U/s 233/332/338/421 IPC
R/W Section 185 of MV Act
Endorsed to ASI Gaurang
Chakraborty of Rangpo CP
for investigation.
Dated 20/02/23
190

Officer-in-charge
Lava Police Station
Dist. P. - Rangpo
No. 15
at -

No 1520/23 at 12.45 hours. For
 To o/c Low Spec
 Handed St. Y

14/07/2021
Officer in-Charge
Rango Check Post
P. S. Dist Kalimpong

Date 22-03-2023.

MECHANICAL EXAMINATION REPORT

Ref. : RANGPO, C.P.D /R, No, 144 /2023. Dated. 21-03-2023.

PS: Lava. Kalimpong.

Case No. / M.A Case No. : 10 / 2023. Dated. 20-03-2023. U / S, 279 / 337 / 338 / 427. IPC.
R / W Sec, 183. MV. Act .

Name and designation of the Motor Vehicle

Inspector/Expert : Bholanath Baruri / Automobile Engineer / Mechanical Expert .

Venue and Date of Examination : Infront of Rangpo Check Post on 22-03-2023.

1. Details of the Vehicle, (Attach close view and long view photo)

- a. Make HYUNDAI MOTORS LTD .
- b. Type CRETA .
- c. Model 2015 .
- d. Registration Number WB 66 U 8181 .
- e. Chassis Number MALC 281 RLFM 044199 K .
- f. Engine Number D 4 FCFM 459411 .
- g. Colour WHITE .
- h. Distinguishing Features (Basically please write if the vehicle can be identified without the registration number like some specific Name / Painting on the Body / Windscreen etc)
Nil .

1. General Description from outside - Eye View -

a. Point of contact between the vehicles and signs of exchange of paint-

There is no any signs of exchange of paint found at the time of examination.

b. Description of damage caused (specify)-

Front right side show, bumper, mudguard, engine bonnet, ~~ix~~ A / C system is badly damage and front right side head and indicator light, front right side sideview mirror is broken. Front windshield glass is crake.

2. **Condition of Brakes (Please attach Photographs)**

a. Are the brakes OK?

Yes ☐ No ☒

b. Are they worn out?

Yes ☐ No ☒

c. Whether the brakes show wear and tear due to sudden application of the brakes at the time of accident?

Yes ☐ No ☒

d. Are there signs of brake failure which could have lead to the accident?

Yes ☐ No ☒

3. **Condition of Tyres (Please attach Photographs)**

a. Do the tyres conform to the standards stipulated in MV act 1988?

Yes ☒ No ☐

b. Are the tyres worn out or resoled?

Yes ☐ No ☒

c. Do the tyres reveal any mark of skidding due to sudden deceleration by observing the wear and tear and the groove pattern?

Yes ☐ No ☒

d. Can the condition of the tyres be held responsible for the extra distance covered even after braking?

Yes ☐ No ☒

e. Were the tyres found punctured? If yes specify whether before or after the accident collision.

Yes ☐ No ☒

There is no any puncture found at the time of examination.

4. **Condition of Gears -**

a. Whether the gear lever, gear pinion, gear handle and clutch were in flexible state at the time of accident?

Yes ☒ No ☐

b. Whether these parts are in sufficiently lubricated condition?

Yes ☒ No ☐

5. **Condition of Steering -**

a. Whether steering is adequately mobile?

Yes ☐ No ☒

b. Whether the tie rod is in perfect working condition

Yes ☐ No ☒

6. **Condition of Lights -**

a. Whether the Head Light / Fog Light / Indicator of the vehicle are in working condition?

Yes ☐ No ☒

b. If not, is the same due to accident or were faulty even before the accident?

Light's are not working properly due to accident .

8. Condition of Rear View Mirrors -

- a. Are the Rear view mirrors present inside the vehicle, and both on the left and right side of the vehicle?

Yes ☒ No ☐

9. Rear-end conspicuity in cases of rear-end collision (CMVR, 1989, RULE NO. 104)

Nil .

10. Condition of Speed Governors:-

- a. Whether speed governor have been installed?
b. Are they to operational condion?
c. Have they been tampered with?

Yes ☒ No ☐

Yes ☒ No ☐

Yes ☐ No ☒

11. Condition of the Wipers-

- a. Were the Wiper operational prior to accident as can be ascertained from the present condition?

Yes ☒ No ☐

12. Whether EDR (Even Data Recorder) present or not?

Yes ☐ No ☒

13. Whether the joining points of the Axles of the vehicle with the wheels are in proper condition or not?

Yes ☒ No ☐

14. Overloading -

Was the vehicle overload? if yes, further remarks.

Nil .

15. Any other specific observations to highlight the condition or possible cause of the accident -

From the Technical point of view the cause of accident of the above mentioned vehicle appears to be other than mechanical failure .

BHOLA NATH BARURI
AUTOMOBILE ENGINEER
MECHANICAL EXPERT
VEHICLE ESTIMATOR
(GOVT. APPROVED) MECH. REG. NO. 1126


**M/S. B. N. BARURI MECHANICAL
EXPERT AND CO.**
C/O. M/S. ANIL TRADING CO.
SEVOKE ROAD, SILIGURI-734 001
DARJEELING
(WEST BENGAL GOVT.) REG. NO. L-72044

**Photograph of Vehicle bearing registration no
WB 66 U 8181 HYUNDAI CRETA CAR**

Date..22-03-2023.



Bholanath Baruri
Automobile Engineer Mechanical Expert


22-03-2023.
Bhola Nath Baruri
Automobile Engineer
Mechanical Expert



CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD.		GST Invoice No. 3362300536120	
ADDRESS: SILIGURI OFFICE		DATE: 08/03/2021	
SONA WHEEL, 2ND FLOOR 3RD MII E SEVOKE ROAD SILIGURI, SEVOKE ROAD S O		PAN: AABCC6633K	
CITY: DARJILING STATE: WEST BENGAL		SAC Code: 997134	
GSTIN: 19AABCC6633K1ZG		SAC Description: Motor vehicle insurance services	
Insured Name	PABITRA CHETTRI		
Address	MELLIDARA PAIYONG,SOUTH SIKKIM, MELLI BAZAR S O, SOUTH SIKKIM SIKKIM PIN-737128		
Aadhar No.:-	PAN No.:-		
Policy Number	3362/02008820/000/00 [UIN:IRDAN123RP0001V03100001]		
Period of Insurance	From 24/02/2021 17:42 Hours To Midnight on 23/02/2022		
Endorsement Number	3362/02008820/001/00		
Endorsement Date	05/03/2021 10:00 Hours		
Reason for Endorsement	Name Transfer and Addition of Hypothecation : MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED SILIGURI		
IMT 3-NAME TRANSFER ENDORSEMENT			
Notwithstanding anything to the contrary contained or endorsed under the within mentioned policy, it is hereby declared and agreed that with effect from 05/03/2021 10:00 Hours vehicle is subject to hypothecation and the name of the Financier is MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED(Financier Name)			
Notwithstanding anything to the contrary contained or endorsed under the within mentioned policy, it is hereby declared and agreed that with effect from 05/03/2021 10:00 Hours(endorsement effective date), ownership of the vehicle is transferred from ROSHAN KUMAR,RAILWAY BARAK COLONY 22,P5, ENGLISH BAZAR,DIST MALDA, BAIRACIHHI B.O, MALDA,WEST BENGAL PIN-732102 (name and address) to PABITRA CHETTRI,MELLIDARA PAIYONG,SOUTH SIKKIM, MELLI BAZAR S.O, SOUTH SIKKIM,SIKKIM PIN-737128(new name and address). Provided always that for the purpose of the no claim bonus, no period during which the interest in this policy has been vested in any previous insured shall accrue to the benefit of PABITRA CHETTRI. Subject otherwise to the terms exceptions conditions and limitations of this policy.			
Consequent to this a premium amount of Rs. 59 is collected from the Insured.			
Endorsement Premium: 50.00	CGST (0%): 0.00	SGST (0%): 0.00	IGST (18%): 9.00
Total Premium: 59.00			
All other terms and conditions remain unaltered.			
Whether tax is payable under reverse charge basis - No.			

Place : SILIGURI OFFICE

For Cholamandalam MS General Insurance Company Ltd.

Signature valid

Digitally signed by:
KANCHIRU RAM
SRIDHAR K RISH

Date : 08/03/2021

Duly Constituted Attorney(s)

Regd & Head Office: Dare House, 2nd Floor, No. 2, N.S.C Bose Road, Chennai-600 004, India.
CIN: U66030TN2001PLC047977 | IRDAI Reg. No. 123



SEIZURE LIST

PR NO - 12/2023

REF :- Rangpo CP GDE No - 520/23 Dt. 20/3/23

Lava PS C No - 10/23 Dt. 20/3/23 U/S 279/337/338/427 PC R/W Sec 183 of
Act

1. DATE & TIME OF SEIZURE

20/3/2023 at 13:25 - 14:05 hrs

2. PLACE OF SEIZURE

Tankhola NH10 Near Residence of 89 No
Constituency Sabashad

3. FROM WHOM SEIZED

Azavindh Kumar Byahut s/o Lt. Prem
Shankar Byahut.

4. NAME OF WITNESS

(I) Abhinay Thapa s/o Damber Behr. Thapa
of Melli Bazar South Sikkim

(II) Damber Behr Thapa s/o Lt Man
Behr. Thapa Melli Bazar South
Sikkim

5. DESCRIPTION OF SEIZED ARTICLES

① One vehicle bearing No WB
66U8121 in s/o Pabitra Chettri D/o Man Behr Chettri
of Melli Bazar South Sikkim. along with vehicle key.
② one insurance certificate of vehicle bearing policy
No 3362/0206820/000100 valid till 23/02/2022.

6. SIGNATURE OF WITNESS

(I) Abhinay Thapa

(II) Damber Thapa



LAVA P. S.

Seized by me

Asst Sanjay Chettri
Camp at P.O. Tankhola

NH10 Near 89 no Constituency
Sabashad Residence

SEIZED BY ME

SEIZURE LIST

DP NO - 13/2023

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REF :- Rangpo C.P GDE NO 520/23 Dt. 20/3/23

dava PS C NO - 10/23 Dt. 20/3/23 u/s 279/337/333/427 IPC R/W Sec 183 of MV Act
20/3/2023 at 14:05 - 14:35 hrs.

1. DATE & TIME OF SEIZURE

2. PLACE OF SEIZURE

3. FROM WHOM SEIZED

4. NAME OF WITNESS

(I) CVF/899 Mangal Singh Dorjee Tamang
of Rangpo C.P

(II) CVF/258 Saran Tamang
of Rangpo C.P

5. DESCRIPTION OF SEIZED ARTICLES : (I) One Pulsar Motor Bike
bearing No ST01P4293.

6. SIGNATURE OF WITNESS

(I) CVF 899 Mangal Singh Dorjee Tamang

(II) CVF/258 Saran Tamang

Seized by me
Ass Sanjay chettri
Camp at Tarkhola NH10
Near 39 NO constituency
Sabhasbad Residence.



To
The Supriendent
Kalimpong District Hospital
Kalimpong.



Ref: Lava PS C/No-10/23 Dt. 20.03.2023 , U/S :279/337/338/427 IPC R/W sec 183 of MV Act.

Sub:- Prayer for Supply of injury report and BHT .

Sir,

This is to inform you that on 20/03/2023 one Kishan Subba S/O Dambar Subba Of 11th mile Mangchu Forest Village PS-Lava Dist-Kalimpong was admitted in your Hospital for His medical treatment due to vehicle accident In this regard, a specific case has been started.

Therefore, I pray before you to kindly treat this as urgent and supply me an injury report and BHT of Kishan Subba S/O Dambar Subba Of 11th mile Mangchu Forest Village PS-Lava Dist-Kalimpong for the purpose of investigation. I shall ever remain grateful.

Yours faithfully



DR-158/23
dt. 26/3/2023

RECEIVED



CHOLAMANDALAM MS GENERAL INSURANCE COMPANY LTD.		GST Invoice No :3362300536120	
ADDRESS: SILIGURI OFFICE		DATE: 08/03/2021	
SONA WHEEL		PAN: AABCC6633K	
2ND FLOOR 3RD MIT E SEVOKE ROAD SILIGURI,		SAC Code: 997134	
SEVOKE ROAD S O		SAC Description: Motor vehicle insurance services	
CITY: DARJILING	STATE: WEST BENGAL		
GSTIN: 19AABCC6633K1ZG			
Insured Name	PABITRA CHETTRI		
Address	MELLIDARA PAIYONG,SOUTH SIKKIM, MELLI BAZAR S.O, SOUTH SIKKIM SIKKIM PIN-737128		
Aadhar No.: -	PAN No.: -		
Policy Number	3362/02008820/000/00 [UIN:IRDAN123RP0001V03100001]		
Period of Insurance	From 24/02/2021 17:42 Hours To Midnight on 23/02/2022		
Endorsement Number	3362/02008820/001/00		
Endorsement Date	05/03/2021 10:00 Hours		
Reason for Endorsement	Name Transfer and Addition of Hypothecation : MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED, SILIGURI		
IMT 3-NAME TRANSFER ENDORSEMENT			
Notwithstanding anything to the contrary contained or endorsed under the within mentioned policy, it is hereby declared and agreed that with effect from 05/03/2021 10:00 Hours vehicle is subject to hypothecation and the name of the Financier is MAHINDRA AND MAHINDRA FINANCIAL SERVICES LIMITED(Financier Name)			
Notwithstanding anything to the contrary contained or endorsed under the within mentioned policy, it is hereby declared and agreed that with effect from 05/03/2021 10:00 Hours(endorsement effective date), ownership of the vehicle is transferred from ROSHAN KUMAR,RAILWAY BARAK COLONY 22,P8 ENGLISH BAZAR,DIST MALDA, ,BAIRACHHII B.O, MALDA, WEST BENGAL PIN-732102 (name and address) to PABITRA CHETTRI,MELLIDARA PAIYONG,SOUTH SIKKIM, ,MELLI BAZAR S.O, SOUTH SIKKIM,SIKKIM PIN-737128(new name and address)			
Provided always that for the purpose of the no claim bonus, no period during which the interest in this policy has been vested in any previous insured shall accrue to the benefit of PABITRA CHETTRI.			
Subject otherwise to the terms exceptions conditions and limitations of this policy.			
Consequent to this a premium amount of Rs. 59 is collected from the Insured.			
Endorsement Premium:	CGST (0%):	SGST (0%):	IGST (18%):
50.00	0.00	0.00	9.00
Total Premium:		59.00	
All other terms and conditions remain unaltered.			
Whether tax is payable under reverse charge basis - No.			

Place : SILIGURI OFFICE

For Cholamandalam MS General Insurance Company Ltd.

Signature valid

Digitally signed by:
KANCHIRU RAM
SRIDHAR VARISH

Date : 08/03/2021

Duly Constituted Attorney(s)



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

54

IN THE COURT OF : **Ld. Chief Judicial Magistrate, Kalimpong**

1. Dist. **Kalimpong P.S. Lava** Year **2022** FIR No. **10/2023** Date **20.03.2023**
2. Final Report/Charge Sheet No: **28** /2023 Date: **19/12/2023**
4. (i) Act ...**IPC**.....Sections**279/337/338/427**.....
(ii) ActSection.....
(iii) Act Sections.....
(iv) Other Act and Sections **181 MV Act**.....
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)....**ASI Sanjay Chettri**.....
8. (a) Name of Complainant / Informant .. **Dambar Thapa**.....
(b) Father's/Husband's Name **Lt. Man Bahadur Thapa**.....
9. Date on which the complainant/Informant was informed of the result **On**
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	1. 1(One) vehicle bearing No.66U8181 in r/o Pabitra Chettri D/o Man Bahadur Chettri of Melli Bazar, South Sikkim, along with vehicle key. 2. 1(one Insurance Certificate of vehicle bearing policy No.3362/0200820/000/00 valid till 23.02.2022		PR No: 12/23	Aravinda Kumar Byahut S/o Lt. Prem Shankar Byahut	Gave Zimmanama
2	1(One) Pussar Motor Bike bearing No.SK01P/4293		PR No: 13/23	Axhmi Rai w/o Kishan Rai of 4th Mile Mangchu Forest village, PS. Lava, Dist kalimpong.	Not disposed yet laying at Rangpoo CP, compound.

- 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 : **Kishan Subba**
 - (ii) Father's/Husband's Name : **Dambar Subba**
 - (iii) Date/Year of Birth:
 - (iv) Sex.....**Male**.....
 - (v) Nationality.....**Indian**.....
 - (vi) Religion.....**Hindu**.....
 - (vii) Whether SC/ST.....
 - (viii) Occupation.....
 - (ix) Address: **11th Mile, Mangchu Forest Village, PS. Lava, Dist. Kalimpong**
 - (x) Provisional Criminal No.....
 - (xi) Regular Criminal No.....
 - (xii) Date of surrender.....**31.07.2023**.....
 - (xiii) Date of release on.....**31.07.2023**.....
 - (xiv) Date on which forwarded to Court
 - (xv) Under Acts and Section.....**U/S 279/337/338/427 IPC.....r/w Sec. 181 MV Act**
 - (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.....**Bailed by Court**.....

(Attach Separate Sheet, if necessary)

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

- (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.....

(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.	Dambar Thapa S/o Lt. Man Bahadur Thapa of Melli, South Sikkim (Complainant) U/S 161.Cr.PC					
2.	Abhinay Thapa S/o Dambar Thapa of Melli South Sikkim. (U/S 161 Cr.PC)					
3.	Estekhar Mahammad S/o Bekhari Miya of Melli, South Sikkim.) (U/S 161 Cr.PC)					
4.	Prem Bdr. Biswakarma S/o Lt. Dhan Bdr. Biswakarma, of Tumlang Rangpoo, PS, Lava, Dist. Kalimpong (U/S 161 Cr.PC)					
5.	Bikky Sarki S/o Ram Bahadur Sarki of 10 th Mile Rangpoo, PS. Lava, Dist. Kalimpong. (U/S 161 Cr.PC)					
6.	Kumar Darjee S/o Janaklal Darjee of Tumlan, Rangpoo, PS. Lava, Dist. Kalimpong (U/S 161 Cr.PC)					
7.	Pabitra Chettri D/o Man Bdr. Chettri of Melli Bazar, PS. Melli, South Sikkim. (U/S 161 Cr.PC)					
8.	CVF/899 Mangal Singh Dorjee Tamang of Rangpoo CP, PS. Lava. Kalimpong.(seizure witness)					
9.	CVF/258 Saran Tamang of Rangpo CP, PS: Lava, Kalimpong (seizure witness)					
10.	Shri Bholanath Baruri, Automobile Engineer, Sevoke Road, Siliguri					
11.	ASI Sanjay Chettri of Rangpo CP, PS: Lava (I.O of the Case) at present posted at Lava PS.					
12.	SI Laxman Pokhrel of Lava PS, Kalimpong (R.O)					

Separate Sheet of Col. No.14 (Particulars of Witnesses to be examine)

Sl. No.	Name	Father/ Husband's Name	Date/Year Of Birth	Occupation	Address	Type of evidence To be tendered
13.	Kishan Subba S/o Dambar Subba 11 th Mile, Mangchu Forest Village, PS. Lava, Dist. Kalimpong (Accused)					
14.	Dr. Nipun Subba Medcal office of STNM Hospital Gantok, Sikkim who conducted treatment of Accused Kishan Subba					
The witnesses may kindly be sunnobed during trail.						

LS. Hm

(ASI Sanjay Chettri)
I.O of the case
Lava PS Kalimpong

continued from Col no 17.

During investigation I visited the P.O i.e. Tarkhola, NH10. I examined the P.O and prepared a rough sketch map along with its index. Thereafter I examined the complainant Dambar Thapa and other witnesses and recorded their statement u/s 161 Cr.PC in a separate sheet of paper. I also seized the victim vehicle bearing No: WB66U-8181 along with its documents and also seized offending Motor Bike bearing No.SK 01P/4293 under proper seizure list in presence of available witnesses.

During investigation I sent also a requisition to Shri Bhola Nath Baruri, Automobile Engineer, Sevoke Road, Siliguri for conducting mechanical examination of seized victim vehicle bearing No: WB-66U/8181 (HYUNDAI CRETA) and on 22.03.23 the Mechanical report has been received from Bhola Nath Baruri, Automobile Engineer, Sevoke Road, Siliguri. During investigation I sent a requisition to Shri Bhola Nath Baruri, Automobile Engineer, Sevoke Road, Siliguri for conducting mechanical examination of seized offending Motor Bike bearing No: SK01-P-4293. But documents of the said motor bike could not found during seizure and owner also did not appear to claim the said seized motor bike till date.

On 24.03.23 I received order sheets from Ld. CJM, Kalimpong Court vide Order No.03, dt.24.03.23 to released the seized vehicle bearing No.WB-66U/8181 (HYUNDAI CRETA) with all relevant documents except D/L on furnishing joint bond of Rs.8,00,000/-. Bond has been furnished through Ld. Advocate. Accordingly said vehicle has released on Zimmana bond duly signed by the owner Pabitra Chettri.

During investigation on 09.04.23 I served a notice u/s 41 A CrPC to the accused bike rider Kishan Subba S/o Dambar Subba of 11th Mile Mangchu forest village, PS. Lava, Dist Kalimpong and advised him to surrender before the Ld. Court, Kalimpong.

During investigation on 24.04.23 I sent a requisition to the Superintendent STNM Hospital Gantok East Sikkim for supplying injury report and BHT of Kishan Subba s/o Dambar Subba who was admitted there for medical treatment. Accordingly on 26.04.23 I received medical report of Kishan Subba in which type of injury has shown "Griveous".

On 31.07.2023 I received sheets from Ld. CJM, Kalimpong Court vide Order No.06, dt.31.07.2023 and on perusal it could be learnt that accused Kishan Subba has voluntarily surrendered before the court on the same day and is released on Court bail.

During investigation I sent a requisition to the RTO, Gantok East Sikkim for providing the details of ownership of seized Motor Bike bearing No. SK01-P-4293 and on 17.08.2023 I received the ownership details of said Motor Bike in which the name and address has found the name of register owner Milan Chettri S/o B.B Chettri of 5th Mile Tadong, Gantok-737101, Type of vehicle -Bajaj Auto Ltd, Make & Model/Year of Manufacture -Pulsar-01/2010, Engine No.DHGBTF82700 AN Chassis No.MD2DHDKZZTF79650.

During investigation I sent a RT message to SHO Tadong OP under Sadar PS Gantok to inform to Shri Milan Chettri S/o B.B Chettri of 5th Mile Tadong, Gantok-737101 register owner of seized Motor Bike bearing No: SK01-P-4293. But the register owner of said Motor Bike did not appear to claim the said seized Bike.

During investigation on 24.03.23 I submitted a Non FIR prosecution U/S 183 MV Act against Aribind Kr. Byahut s/o A. Prem Shankar Byahut of Melli Bazar South Sikkim driver of vehicle No. WB-66U/8181 (HYUNDAI CRETA) before Ld. JM, Kalimpong. During seizure I found that insurance was failed of said vehicle.

As the necessary part of investigation is almost completed and I informed my superior and I.C Pedong suggested to submit the Chargesheet in this case.

Hence a prima facie charge u/s 279/337/338/427 IPC could be well established against accused bike rider Kishan Subba S/o Dambar Subba of 11th Mile Mangchu forest village, PS. Lava, Dist Kalimpong

Therefore I am submitting Charge Sheet vide Kalimpong PS Charge Sheet No. 28 /2023 dated: 19/12/23 U/s 279/337/338/427 IPC against accused bike rider Kishan Subba S/o Dambar Subba of 11th Mile Mangchu forest village, PS. Lava, Dist Kalimpong to face his trial in the open court of Law.

A Non-FIR prosecution U/S 181 M.V Act submitting against accused bike rider Kishan Subba as the Driving license was not found during investigation.

Hence, the accused bike rider Kishan Subba may kindly be prosecuted U/S 181 MV Act.

Witnesses may kindly be summoned to prove the case.

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

Submitted
19/12/23
(ASI - SANJAY CHETTRI)
I.O of the Case
Lava PS. Dist Kalimpong