

फार्म नं. 1

प्रथम सूचना प्रतिवेदन (धारा 154 द. प्रक्रिया संहिता के अन्तर्गत)
FIRST INFORMATION REPORT (Under Sec. 154 Cr.P.C.)

वि.पु.स्था.सी.-II
S.P.E.C.-II

बुक नं.
Book No. **1257**

क्रम सं.
Serial No. **19**

1. जिला : थाना : वर्ष : प्र.सू.प्र.क्र. दिनांक :
District Lucknow PS: CBI, ACB, Lucknow Year 2018 FIR No. RC0062018A0019 Date 03/10/2018
2. (1) विधान : धाराएं :
Act PC Act 1988 Sections 7, 7 A
(As amended in 2018)
(2) विधान : धाराएं :
Act Sections
(3) विधान : धाराएं :
Act Sections
(4) अन्य विधान एवं धाराएं :
Other Acts & Sections
Offence relating to public servant being bribed and offence taking undue advantage to influence public servant by corrupt or illegal means or by exercise of personal influence.
3. (क) प्रतीत अपराध :
(a) Suspected Offence
- (ख) दिन : दिनांक समय
(b) Day Date Time
- (ग) थाने पर सूचना प्राप्त होने का दिनांक
(c) Information received at PS Date **03.10.2018**
- कायमी अपराध : दिनांक समय
Entry No. 08 Date **03.10.2018** Time **17.10 hrs.**
4. सूचना का प्रकार : लिखित/मौखिक
Type of Information Written/Oral **Written**
5. घटना का स्थान **Income Tax Office, Central Circle, P.K. Complex, Lucknow**
Place of Occurrence
- (क) थाने से दिशा व दूरी :
(a) Direction & Distance from PS **02 Kms. (approx) North**

(ख) पता:
(b) Address

(ग) घटनास्थल अन्य थाना क्षेत्राधिकार में है तो थाना -
(c) In case, outside the limit of this Police Station, then

पुलिस थाना का नाम
Name of PS

जिला
District

6. अभियोगी / सूचनाकर्ता :
Complainant / Informant

(क) नाम **Shri Pratyoosh Kumar Mishra**
(a) Name

(ख) पिता / पति का नाम
(b) Father's / Husband's Name **Late Satish Narayan Mishra**

(ग) जन्म तिथि
(c) Date of Birth

(घ) राष्ट्रियता :
(d) Nationality **Indian**

(ङ) पासपोर्ट नं. जारी दिनांक जारी होने का स्थान
(e) Passport No Date of Issue Place of Issue

(च) व्यवसाय
(f) Profession **Business**

(छ) पता -
(g) Address **27/2, New Ballygunge Road, Kasba, Kolkata-700039**

7. ज्ञात / संदेही / अज्ञात / आरोपी का पूर्ण विवरण :
Details of known / suspected / unknown accused with full particulars
(यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
(Attached separate sheet, if necessary)

- (1)
(2) **Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K.
Complex, Lucknow.**
(3)

8. अभियोगी / सूचनाकर्ता द्वारा सूचना दिए जाने में विलंब का कारण :
Reasons for delay in reporting by the complainant / informant
9. अपहृत / सम्बद्ध सम्पत्ति का पूर्ण विवरण : (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
Particulars of properties Stolen (Attach separate sheet, if necessary)
10. अपहृत / सम्बद्ध सम्पत्ति का कुल मूल्य :
Total value of property stolen
11. मर्ग / अकाल मृत्यु सूचना क्रमांक :
Inquest Report / U.D. case No. if any
12. प्रथम सूचना विवरण :- (यदि आवश्यक हो तो अलग से पन्ना संलग्न करें)
First Information contents (Attach separate sheet, if required)

A complaint dated 03.10.2018 addressed to Sudt. of Police, Central Bureau of Investigation, Anti-Corruption Branch, Lucknow has been received on 03.10.2018 from the complainant Shri Pratyooosh Kumar Mishra S/o Late Satish Narayan Mishra, R/o- 27/2, New Ballygunge Road, Kasba, Kalkota-700039. This complaint was discreetly verified by Shri Atul Dikshit, Inspector, CBI, ACB, Lucknow. The complaint is reproduced and enclosed herewith :-

To,

Supdt. of Police,
Central Bureau of Investigation,
Anti Corruption Branch,
Lucknow

Subject: Demand of bribe by Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K. Complex, Lucknow

Sir,

The undersigned is authorized representative in M/s Jedy Tapes Private Limited, Kolkata. M/s Jedy Tapes Private Limited, Calcutta was guarantor to the loan availed by M/s Shyam Vanaspati Oils Limited, Kolkata from State Bank of Hyderabad, Sapru Marg, Lucknow and deposited FDRs of Rs. 7 Crores (approx.) as guarantee with bank.

In the year 2009, a raid was conducted by Income Tax Department, Lucknow Division at the premises of M/s Shyam Vanaspati Oils Limited, Kolkata and Lucknow. During inquiry/investigation of the matter, income tax department seized the FDRs amounting to Rs. 7 Crores (approx.)

My company was served notices by income tax department and in response to them, my consultant appeared before the income tax department many a times and contested my case. On 28th September 2018, my consultant informed me to contact Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K. Complex, Lucknow on his mobile no. 7985610497. On 29th September 2018, I contacted Shri Dharmsheel at his above mentioned mobile no. from my mobile no. 9919189933. During the telephonic conversation, Shri Dharmsheel told me that he would get my pending matter cleared from his higher officers in lieu of bribe of Rs. 60 Lakhs. He also directed me to arrange the demanded bribe amount by 1st week of October 2018 and hand over to him.

Sir, my company does not want to pay any bribe amount to Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K. Complex, Lucknow. It is therefore, requested that necessary legal action may please be taken against Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K. Complex, Lucknow.

Yours sincerely,

Sd/-

3/10/18

(Pratyoosh Kumar Mishra)

S/o Late Satish Narayan Mishra,
27/2, New Ballygunge Road, Kasba,
Kolkata-700039, Mobile9919189933

Enclosure Authority letter
of M/s Jedy Tapes Pvt. Ltd.
by Director Sri Vinay Tripathi.

The above facts disclosed the commission of offences punishable u/s 7, 7A of PC Act, 1988 (As amended in 2018) on part of Shri Dharmsheel, Inspector, Income Tax, Central Circle, P.K. Complex, Lucknow.

Hence, a regular case is registered and entrusted to Shri Sabhajeet Chauhan, Inspector, CBI, ACB, Lucknow for investigation.


R. R. TRIPATHI
Dy. Supdt. of Police
CBI, ACB,
Lucknow

JEDY TAPES PVT. LTD.

16/1A, ABDUL HAMID STREET, 5TH FLOOR, ROOM NO. 5B, KOLKATA - 700069

PAN NO. AAACJ8642E

CIN - U17236WB1980PTC032514

To

Mr. Pratyosh Kumar Mishra
27/2, New Ballygunge Road, Kasba,
Kolkata 700039.

Subject : Request of handling the Income Tax matter .

Respected Sir,

This is to brought your kind attention that the assessment proceedings has done by DCIT of Income Tax Department (Central Circle -II), Lucknow from the F.Y 2005-06 to 2014-15. After the high pitch assessment was done by DCIT(C)-II we moved to 'Ld. CIT(APPEAL). The Appeal filed by us before the Commissioner of Income Tax (Appeal)-I, Lucknow in respect of Assessment Years 2005-06 to 2011-12 were dismissed for non-prosecution. After the disposal of our appeal we appealed to the Income Tax Appellate Tribunal, Lucknow on 01-08-2017 for each of the year. The Hon'ble Bench was pleased to observe that the appeals should be remitted to the file of the Ld. CIT(Appeals) for adjudication of the Appeals on merits. Between this span of time Department recovered all the demands raised by DCIT(C)-II from our FDR's seized by them. Several requests have done for giving the order to releasing the rest FDR's from bank, but Department did not take any interest regarding the matter. Several notices were sent to me by the Department from time to time.

The above mentioned fact indicates that some Department officials are involving in this unlawful act for their personal interest.

So, sir this is my request on behalf of the Company to look over this matter and help our Company to get rid of it.

Thanking You



16/9/2018

13. कार्यवाही जो की गई : चूँकि उपरोक्त विवरण क्रमांक 2 में उल्लिखित धारा(ओं) के अंतर्गत घटने वाले अपराध को उद्घाटित करता है

Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2

- (1) मामला पंजीकृत किया गया एवं जांच प्रारंभ हुआ अथवा
Registered the case and took up the investigation or

Registered the case and took up for investigation.

- | | | | | |
|--|--------------|------------|---|-----|
| (2) निर्देशित (जांच अधिकारी का नाम)
Directed (Name of IO) | रैंक
Rank | नं.
No. | जांच हेतु लिया गया
Took up for investigation | Yes |
|--|--------------|------------|---|-----|

Shri Sabhajeet Chauhan, Inspector of Police, CBI, ACB, Lucknow.

- (3) कारण से जांच के नामंजूर
Refused investigation due to
- अथवा
or

- | | | |
|---|------------------|--|
| (4) पुलिस थाना को स्थानांतरित किया गया
Transferred to PS | जिला
District | क्षेत्राधिकार के आधार पर
on point of jurisdiction |
|---|------------------|--|

अभियोगी / सूचनाकर्ता को प्र.सू. पत्र पढ़ाकर / पढ़कर सुनाया गया, जिन्होंने सही-सही अभिलिखित होना स्वीकार किया। इसकी एक प्रति अभियोगी / सूचनाकर्ता को नि:शुल्क प्रदान की गई।

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

पढ़ कर सुनाया व सही स्वीकृत होना पाया।

R.O.A.C.

A copy of the FIR is being sent to the complainant free of cost.

14. अभियोगी / सूचनाकर्ता के हस्ताक्षर
Signature/Thumb impression
of the complainant/informant

थाना अधिकारी के हस्ताक्षर
Signature of Officer in-charge
Police Station

नाम / Name

(पद) / Rank

R. R. TRIPATHI
Dy. Supdt. of Police
CBI, ACB,
Lucknow

15. न्यायालय को भेजने का दिनांक एवं समय
Date and time of despatch to the court

R. R. TRIPATHI
Dy. Supdt. of Police
CBI, ACB,
Lucknow

(प्रभारी अधिकारी के हस्ताक्षर तारीख सहित)
Signature of recording Officer with date

Confidential/Registered

Endst. _____/RC0062018A0019

Dated:-03/10/2018

Forwarded to:-

1. The Special Judge (West), Anti Corruption, CBI, Lucknow.
2. The Joint Director (LZ), CBI, Lucknow.
 - (i) Classification of offence :-ACD
 - (ii) Status of accused :-NGO
 - (iii) Orders for registration passed by :-HOB, CBI, ACB, Lucknow.
3. The Director of Income Tax (Vigilance), Central Board of Directed Taxes, 1st Floor, Dayal Singh Public Library Building, 1 Deen Dayal Upadhyay Marg, New Delhi-110002.
4. The Secretary, Central Vigilance Commission, Satarkta Bhawan, G.P.O. Complex, Block A, INA, New Delhi – 110023.
5. Shri Pratyoosh Kumar Mishra S/o Late Satish Narayan Mishra, 27/2, New Ballygunge Road, Kasba, Kolkata-700039.
6. Shri Sabhajeet Chauhan, Inspector, CBI, ACB, Lucknow.


R. R. TRIPATHI
Dy. Supdt. of Police
CBI, ACB,
Lucknow

प्रथम सूचना रिपोर्ट का आइटम 7 लगाएं

Attachment to item 7 of First Information Report

संदिग्ध व्यक्ति की शारीरिक विशेषताएं, विरूपता तथा अन्य विवरण :-

Physical features, deformities and other details of the suspect/accused : (If known / seen)

क्र.सं. Sl. No.	*लिंग (Sex)	*जन्म की तारीख / वर्ष Date/Year of Birth	*शारीरिक गठन (Built)	*ऊंचाई से. मी. में (Height) (in Cms)	*वर्ण (Complexion)	*पहचान चिह्न (Identification Mark/s)
1	2	3	4	5	6	7

विरूपता/विलक्षणता (Deformities/ peculiarities)	दांत (Teeth)	बाल (Hair)	आँख (Eye)	आदतें (Habits)	पहनावा (Dress Habit/s)
8	9	10	11	12	13

भाषा / बोली (Language/Dialect)	स्थान / Place of				
	जले का निशान (Burn Mark)	श्वेत कुष्ठ (Leucoderma)	तिल (Mole)	जखम चिह्न (Scar)	गोदना (Tattoo)
14	15	16	17	18	19

अभियोगी / सूचनाकर्ता, द्वारा संदिग्ध / अभियुक्त के बारे में एक या अधिक विवरण दिए जाने पर ही इसमें प्रविष्टि की जाए।

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.