

**FIRST INFORMATION REPORT**

(Under Section 154 Cr.P.C.)  
प्रथम सूचना रिपोर्ट  
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (जिला): STATE VIGILANCE AND ANTI- P.S. (थाना): SHIMLA Year (वर्ष): 2020  
FIR No. (प्र.सू.रि. सं.): 0005 Date and Time of FIR (प्र.सू.रि. की दिनांक और समय): 28/10/2020 16:24 hrs

2. 

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	420
2	IPC 1860	120-B

3. (a) Occurrence of offence (अपराध की घटना):  
1. Day (दिन): Date From (दिनांक से): Date To (दिनांक तक):  
Time Period (समय अवधि): Time From (समय से): Time To (समय तक):  
(b) Information received at P.S. (थाना जहाँ सूचना प्राप्त हुई): Date (दिनांक): 28/10/2020 Time (समय): 16:00 hrs  
(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 012 Date & Time (दिनांक और समय): 28/10/2020 16:00 hrs

4. Type of Information (सूचना का प्रकार): Written

5. Place of Occurrence (घटनास्थल):  
1. (a) Direction and distance from P.S.(थाना से दूरी और दिशा): NORTH-WEST, 8 Km(s) Beat No. (बीट सं.):  
(b) Address (पता): Idgah Colony , Lakkar Bazar, Shimla  
(c) In case, outside the limit of this Police Station, then (यदि थाना सीमा के बाहर है तो):  
Name of P.S.(थाना का नाम): District(State) (ज़िला (राज्य)):

6. Complainant / Informant (शिकायतकर्ता/सूचनाकर्ता):  
(a) Name (नाम): Deepak Thakur  
(b) Father's/Husband's Name(पिता / पति का नाम):  
(c) Date/Year of Birth (जन्म तिथि / वर्ष): 18/04/1985 (d) Nationality (राष्ट्रियता): INDIA  
(e) UID No. (यूआईडी सं.):  
(f) Passport No.(पासपोर्ट सं.): Date of Issue (जारी करने की तिथि):  
Place of Issue (जारी करने का स्थान):  
(g) Id details (Ration Card,Voter ID Card,Passport,UID No.,Driving License,PAN)  

S.No.(क्र.सं.)	Id Type (पहचान पत्र का प्रकार)	Id Number (पहचान संख्या)
1		

  
(h) Address (पता):  

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	PS Pooh,POOH,KINNAUR,HIMACHAL PRADESH,INDIA
2	Permanent Address	Nahari,Kasauli,KASAUJI,SOLAN,HIMACHAL PRADESH,INDIA

  
(i) Occupation (व्यवसाय):  
(j) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.): 91-9459021498

7. Details of known/suspected/unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):  

S.No.(क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address (वर्तमान पता)
1	Baldev Sharma			1. Cottage 21,Old Brock Hurst ,Chotta Shimla ,Shimla 9,Shimla,SHIMLA, STATE VIGILANCE AND ANTI-CORRUPTION BUREAU (SV & ACB), HIMACHAL PRADESH,INDIA

8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S.No. (क्र.सं.)	Property Category (संपत्ति श्रेणी)	Property Type (सम्पत्ति का प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))
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10. Total value of property (In Rs/-)-सम्पत्ति का कुल मूल्य(रु में):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S.No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)
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12. First Information contents (प्रथम सूचना तथ्य):

That an enquiry into the complaint No. 23/20 dated 21-08-2020, against Sh. Baldev Sharma, Editor Shail Weekly, regarding allegations of illegal allotment and encroachment on Govt. Land was conducted by Inspector Deepak Thakur, E/O, PS SVACB Shimla and the enquiry report was submitted to the VHQA with the recommendations to register a criminal case. The necessary approval has been received from the competent authority vide VHQA letter No. SV ACB (R/SR-HQ) Comp (SML) 23/2020- 17995 dated 27-10-2020 and SP SV ACB (SR) office letter Endst No. SV ACB (R/SR) Comp. (SML) 23/2020- 5189 dated 27-10-2020 along with enquiry file in complaint No. 23/20. A separate complaint has been submitted by enquiry officer which is reproduced below:- To, The Station House Officer, PS SVACB, Shimla, Distt Shimla ( HP), A Complaint No. 23/20 dated 21-08-2020 was received in this P.S. through VHQA against Sh. Baldev Sharma, Editor Shail Weekly, to enquire into the allegations of illegal allotment and encroachment on Govt. Land. During the course of preliminary enquiry, the relevant record has been procured from the concerned Departments and statements of some persons have been recorded. During enquiry, it revealed that the land of the Wakf Board, situated at Idgah, Lakkar Bazaar, Shimla, measuring 69.44 Sq yards, comprising in plot No. 47, Khasra No. 184, was given on lease for 11 months to Sh. Baldev Sharma by the Punjab Wakf Board vide allotment order No. 24/Lease-Urban/(F. No. 232/90) 4049 dated 08-06-1990, on monthly rent of Rs. 140/- for establishing a printing press. The date of commencement of tenancy was 01-04-1990. The lease was to be renewed after expiry of tenancy period, but in present case, neither the lessee got the lease order renewed nor the Wakf Board has extended it, but the property remained in possession of the lessee. Further, no press was found established by Sh. Baldev Sharma on the said land. As per the conditions of the allotment order dated 08-06-1990, of the Punjab Wakf Board, the property was not to be sublet by the tenant. But, in present case, the possession of the property was illegally sold by Sh. Baldev Sharma to other persons in three portions, for about Rs 65,000/- through one Sh Mohd. Afzal. The possession for one part of the property was handed over to Sh. Ali Raja, the second part to Sh. Mohd. Irfan and the third part to Sh. Mohd. Wasim Akhtar and his brother, the then residents of Idgah Colony, Lakkar Bazaar, Shimla, without the consent of the Wakf Board and thus, he has gained wrongfully and also caused wrongful loss to the Wakf Board. A public toilet was constructed by MC Shimla prior to year, 1995, adjoining to the land allotted to Sh. Baldev Sharma by the Wakf Board. Sh. Baldev Sharma despite the fact that the period of his tenancy with Wakf Board was expired and the possession of said land has already been illegally sold by him to other person in 1994-95, claimed before the MC Shimla, that the toilet has been constructed on the land allotted to him by the Wakf Board. The demarcation of the land was got conducted by the Wakf board in year, 1995 and as per the report dated 30-11-1995, of the Patwari, Punjab Wakf Board, the public toilet was not constructed on the plot allotted to Sh. Baldev Sharma and was outside the area of Punjab Wakf Board. In the year, 1998, Sh. Baldev Sharma represented before MC Shimla claiming that the toilet is constructed on the land allotted to him and also requested for an alternate site in lieu of said land. Sh. Baldev Sharma while representing MC Shimla, concealed the fact that he was no longer in legal possession of the land as the lease had already expired and further that he has already sold the possession of the said land to other persons and misrepresented that the toilet has been constructed in the middle of his plot in order to get an alternate place on lease from MC Shimla. The MC Shimla, while dealing the representation of Sh. Baldev Sharma has intimated vide its letter dated 31-08-1999, to Sh. Baldev Sharma, that MC Shimla has constructed a toilet on the land allotted to Sh. Baldev Sharma by the Wakf Board. The admission of MC Shimla was not based on the facts and no demarcation was got conducted through the Revenue Department, whereas, the report of Patwari, Punjab Wakf Board, revealed that, the toilet was not constructed on the land of Wakf Board and also as per the report of joint inspection team of MC Shimla, the said land was already sold by Sh. Baldev Sharma to other person. Further, if the toilet was actually constructed on the land of Wakf Board, then the matter should have been dealt with the Wakf Board authority and not with Sh. Baldev Sharma, as the owner of the land was Punjab Wakf Board. The memo of consideration dated 25-11-1999, placed before the General Meeting of MC Shimla, revealed that, the spot was inspected by the Estate Branch with JE and Patwari of MC Shimla and

found constructed a toilet on one part of the land allotted to Sh. Baldev Sharma by the Wakf Board. However, the fact as reported by the joint inspection team of MC Shimla, that Sh. Baldev Sharma has already sold the above land to three persons has not been mentioned in the said memo of consideration. Hence, the General House Meeting was misrepresented and the facts were concealed. The proposal for allotment of alternate place below rain shelter, Rivoli road Shimla in lieu of the land allotted to Sh. Baldev Sharma by the Wakf Board at Idgah, was then approved by the General Meeting vide resolution No. 3(3) dated 25-11-1999. The place of MC Shimla was leased out to Sh. Baldev Sharma in lieu of the land allotted to him by the Wakf Board against the construction of the toilet by MC Shimla on said plot, whereas, Sh. Baldev Sharma was neither the owner of the land nor the lease was in existence at that time and further, as he had already sold the possession of the said land illegally to other persons. Moreover, the toilet was not constructed on the land allotted to Sh. Baldev Sharma as reported by the Patwari of the Punjab Wakf Board, but no demarcation was got conducted by MC Shimla through Revenue Department before giving an alternate land. On the basis of above said facts, prima facie, it has been revealed that, Sh. Baldev Sharma has gained wrongfully by illegally selling the possession of the land, leased out to him by the Punjab Wakf Board in the year, 1990. He further cheated by misrepresenting before MC Shimla that the land leased out to him by the Punjab Wakf Board has become unusable due to the construction of a toilet by the MC Shimla in the middle of the plot and acquired an alternate place from MC Shimla on lease in lieu of said land. Whereas, at the time of representation, he was neither the authorized allottee of the plot leased to him by the Wakf Board in 1990 as the lease has already expired, nor the toilet was constructed on the plot allotted to him. Also, he did not establish any printing press on the land as per the conditions of the allotment and illegally sold the possession of the land to other persons during 1994-95. Further, the then officers/ officials of Wakf Board failed to evict or extend lease of Baldev Sharma or to take action against Baldev Sharma for violation of lease conditions. The then officials of MC Shimla also ignored the report of the field officials regarding sale of the said land by Sh. Baldev Sharma and provide an alternate place to Sh. Baldev Sharma without getting the demarcation of the land in question from Revenue Authority and without taking up the matter with the Wakf Board, who was the actual owner of the land. The aforementioned facts and the record collected during the course of enquiry prima-facie disclose the commission of offences punishable under section 420, 120-B of IPC by Sh. Baldev Sharma S/O Late Sh Munshi Ram, r/o Cottage No 21, Old Brockhurst, Shimla-09 in connivance with unknown officers/officials of MC Shimla and the Wakf Board. Hence, a regular criminal case may kindly be registered against Baldev Sharma and unknown officers/ officials of MC Shimla and the Wakf Board. Sd. Inspector Deepak Thakur, EO, PS SVACB, Shimla( HP). Action Taken:- From the contents of the complaint, a case for the offences punishable U/S 420, 120B IPC is made out against Sh. Baldev Sharma S/O Late Sh Munshi Ram, r/o Cottage No 21, Old Brockhurst, Shimla-09 and against unknown officers/officials of MC Shimla and the Wakf Board. A criminal case is registered in this Police Station and the investigation is entrusted to Inspector Vijay Kumar I/O, SVACB SIU Shimla. Copy of FIR is being sent to the Ld. Court of CJM Shimla and senior officer of SVACB Shimla.

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

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख द्वारा के तहत है।)

**(1) Registered the case and took up the investigation:**

(प्रकरण दर्ज किया गया और जांच के लिए लिया गया):

or (या)

**(2) Directed (Name of I.O.) (जांच अधिकारी का नाम):**

Vijay Kumar

**Rank (पद):** I (Inspector)

**No. (सं.):** NIL

**to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)**

**(3) Refused investigation due to (जांच के लिए):**

or (के कारण इंकार किया या)

**(4) Transferred to P.S.(थाना):**

**District (ज़िला):**

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित) .

**F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant / informant free of cost.** (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी।)

**R.O.A.C.(आर. ओ. ए. सी.)**

14. **Signature/Thumb impression of the complainant / informant.**(शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर / अंगूठे का निशान):

15. **Date and time of dispatch to the court** (अदालत में प्रेषण की दिनांक और समय):

**Signature of Officer in charge, Police Station**  
(थाना प्रभारी के हस्ताक्षर)

**Name (नाम):** Kamal Kishore

**Rank(पद):** Dy. SP (Deputy Superintendant of Police)

**No.(सं.):** N/A

**Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):**

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

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण : (यदि ज्ञात / देखा गया))

S.No.(क्र.सं.)	Sex (लिंग)	Date/Year of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height(cms.) (कद से.मी.)	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह )
1	2	3	4	5	6	7
1	Male					Poxpitted: NO
Deformities/ Peculiarities (विकृतियाँ/ विशिष्टताएँ)		Teeth (दाँत)	Hair (बाल)	Eyes (आँखें)		Dress Habit(s) (पहनावा)
8		9	10	11		12
Language /Dialect (भाषा/बोली)	Place Of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान )	Leucoderma (लुकोदेर्मा(सफेद धब्बे))	Mole (मस्सा)	Scar (घाव )	Tattoo (गूदे हुए का )	
14	15	16	17	18	19	20

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

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है।)