

13. Action taken : Since the above information reveals Commission of Offence(s) u/s as mentioned at Item No.:

(1) Registered the case and took up the investigation / or

(2) Directed (Name of I.O.) : L. Premjit Singh

Rank: Sub-Inspt.

No.

to take up the Investigation:

(3) Refused investigation due to:

(4) Transferred to P.S.:

District:

on point of Jurisdiction.

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.

R. O. A. C.

14. Signature / Thumb impression
of the complainant / informant



Signature of Officer in Charge

Police Station: Porompat P.S.

Name : RK. Chingkhui Bonang

Rank: Sub-Inspector.

No.:

15. Date and time of Dispatch to the Court: 19/07/2024.

Officer In-Charge
Porompat Police Station
Imphal East, Manipur

The complainant No. 2 has heard about the Accused No. 1 & 2 from a friend of her husband namely, Oinam Bidyanda Singh, of Sagolband, Imphal West District, Manipur (one of the investor of the accused persons). She came to know from him that the Accused No. 1 is a financial unit of the accused No. 2, dealing with financial matters, like taking deposits of money from general public for which an interest shall be given at the rate of 5% (five percent) per month of the money deposited. She was also informed that withdrawal of the money deposited either in part or whole shall be allowed to the depositors at any time but after completion of 30 (thirty) days from date of seeking for withdrawal. Relying upon the information, the complainant visited the Office of the accused persons at Khurai Chingangbam Leikai, Porompat Ayang Palli Road, P.O. Khurai, P.S Porompat, Imphal East District, Manipur, 795010 and opened her account on 13.11.2019, at the Accused No. 1, being Account No. 60013422. On the same day she had deposited a sum of Rs. 7,00,000/- (rupees seven lakh) only, then her passbook was issued on the same day. Thereafter, she had deposited Rs. 2,00,000/- (Rupees two lakh) only on 11.12.2019, Rs. 1,50,000/- (Rupees one lakh fifty thousand) only on 10.01.2020, Rs. 2,00,000/- (Rupees two lakh) only on 22.01.2020, Rs. 50,000/- (Rupees fifty thousand) only on 23.01.2020 and Rs. 20,000/- (Rupees twenty thousand) only on 08.06.2020. Hence, deposited a total sum of Rs. 8,20,000/- (Rupees eight lakh twenty thousand) only.

It is further submitted that due to having of financial problem the complainant No. 2 had submitted a application, dated 02.03.2020, on 02.03.2020 to the Accused No. 1 for withdrawal of a sum of Rs. 7,00,000/- (Rupees seven lakh) only and at the time of submitting the said application she was asked to enquire about the same after 30 (thirty) days. But she was not able to enquire about the same soon after the completion of 30 (thirty) days due to closing of the office of the accused No. 1 & 2, resulted by imposition of lock down due to the outbreak of Covid 19 Pandemic. She had repeatedly visited the Office of the Accused No. 1 and had enquiring for the withdrawal of the money deposited since first week of Sept, 2020. Unfortunately no positive response was received. She had also submitted a Legal Notice, Dated 28.9.2020, to the Accused No. 1 for withdrawal of Rs. 7,00,000/- (rupees seven lakh) only, but the Accused persons have not paid heed to the same.

The complainant No. 3 has heard about the Accused No. 1 & 2 from one, Nungshi Devi, of Sawongbung Gate, Imphal East District, Manipur. He came to know from him that the Accused No. 1 is a financial unit of the accused No. 2, dealing with financial matters, like taking deposits of money from general public for which an interest shall be given at the rate of 5% (five percent) per month of the money deposited. He was also informed that withdrawal of the money deposited either in part or whole shall be allowed to the depositors at any time but after completion of 30 (thirty) days from date of seeking for withdrawal. Relying upon the information, the complainant visited the Office of the accused persons at Khurai Chingangbam Leikai, Porompat Ayang Palli Road, P.O. Khurai, P.S Porompat, Imphal East District, Manipur, 795010 and opened his account on 21.10.2019, at the Accused No. 1, being Account No. 60013076. On the same day he had deposited a sum of Rs. 2,00,000/- (rupees two lakh) only, then his passbook was issued on the same day. Thereafter, he had deposited Rs. 2,00,000/- (Rupees two lakh) only on 21.11.2019, Rs. 4,00,000/- (Rupees four lakh) only on 21.12.2019, Rs. 1,70,000/- (Rupees one lakh seventy thousand) only on 21.02.2020. Hence, deposited a total sum of Rs. 9,70,000/- (Rupees nine lakh seventy thousand) only.

It is further submitted that due to having apprehension of winding up of the accused/company the complainant No. 3 had submitted a application, dated 04.03.2020 to the Accused No. 1 for withdrawal of a sum of Rs. 9,70,000/- (Rupees nine lakh seventy thousand) only and at the time of submitting the said application he was asked to enquire about the same after 30 (thirty) days. But he was not able to enquire about the same soon after the completion of 30 (thirty) days due to closing of the office of the accused No. 1 & 2, resulted by imposition of lock down due to the outbreak of Covid-19 Pandemic. He had repeatedly visited the Office of the Accused No. 1 and had enquiring for the withdrawal of the money deposited since first week of Sept, 2020. Unfortunately, no positive response was received. He had also submitted a Legal Notice, Dated 28.9.2020, to the Accused No. 1 for withdrawal of Rs. 7,00,000% (rupees seven lakh) only, but the Accused persons have not paid heed to the same.

Having no alternative means, the complainants jointly consulted a Counsel and through the said Counsel approached before the Competent Authority, Imphal East/Commissioner (Art & Culture), under the Banning of Unregulated Deposit Scheme, Act, 2019, with a written complainant/report but on being refused to receive the same, they had submitted the said written complainant/report, dated 14.10.2022, but no action has been taken up so far against both the accused.

It is also submitted that as invited by the accused persons for adjustment with the loanes the complainant No. 1 & 2 have submitted a photo copy of their documents relating to their respective account details showing balance amounts and the complainant No. 3 had submitted his original passbook, all on 15.12.2022, when the office of the accused persons was shifted at Luwangshangbam, Imphal East.

Since both the accused have failed to return the money deposited even after several requests made on several unknown dates even by a written application, the complainants are facing much inconvenience. Having no other alternative remedy, the complainants are now approaching before this Designated Court with the prayers for taking cognizance and proceeding against the accused.

This court has given a patient hearing to Ld Counsel for the complainants. It is seen that the matter as complained of only has material evidence submitted from the side of the complainants. It has been alleged that the scheme floated whereby the accused persons had taken deposits from the complainants are against the provisions of law. It is further seen that the Banning of Unregulated Deposits Schemes Act, 2019 also has provisions for proper restitution to the aggrieved parties. This is done with the help of the designated Competent Authority. All of these require that particulars of the accused company/group/ partnership including the manner of its functioning, the alleged unregulated scheme and its modus operandi, the particulars of all the aggrieved individuals, the amounts received from them, the amount now due to them and the particulars of the assets and liabilities of the company be brought on record at the time of trial. It is also required that the Competent Authority be kept in the loop so that restitution may be carried out properly. All of these require materials which can only be found out by proper investigation. As the jurisdiction of this Court is for the whole state of Manipur under The Banning of Unregulated Deposits Schemes Act, the place of occurrence as being under Imphal East District is not seen to be an impediment. As the allegations involve a large amount of money and investigation may even cross state borders, the Superintendent of Police, Imphal East is to oversee the investigation and ensure that a competent officer handles the investigation. Hence, the complaint is forwarded to OC, Porompat P.S for institution of an FIR and proper investigation. The OC, Porompat P.S shall take directions from the Superintendent of Police, Imphal East regarding the appointment of the IO and he should designate someone who can better understand the intricacies of the manner in which the investigation under BOUDS Act is to be conducted. A copy of the FIR and order of the appointment of the IO is to be forwarded to this Court along with furnishing a status report every three months to this Court. The OC, Porompat P.S is to ensure that the IO is sensitized as to the need to inform the Competent Authority as per the provisions of The Banning of Unregulated Deposits Schemes Act so that the restitution may not lag behind. Send a copy of this order along with a copy of the complaint and related documents to the Superintendent of Police Imphal East and the OC, Porompat P.S for information and compliance.

Civil Misc case is disposed of accordingly.

Sd/
i/c Judge
Designated Court
Manipur
Rutam
Bench Clerk
Addl. Sessions Judge (JTC)
Manipur East

7. Details of known / suspected / unknown accused with full particulars:

Sl.No.	Name	Alias	Relative's Name	Present Address
1	Yumnam Irabanta Singh 36 yrs S/o Y. Meghachandra Singh, CEO MD Birla Emporium Pvt. Ltd. Office at Khurai Sajor Leikai, Imphal east Manipur			Thangmeiband Mesinam Leikai, PO - Imphal, PS- Imphal West, Manipur

8. Reasons for delay in reporting by the complainant / informant:

9. Particulars of properties of interest:

Sl. No.	Property Category	Property Type	Description	Value (in Rs.)
1	Nil	Nil	Nil	N/A

10. Total value of Property (In Rs. /-)

11. Inquest Report / U.D. Case No., if any:

Sl. No.	U.D.B No.

12. First Information Contents :

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE (FTC), MANIPUR EAST/ DESIGNATED COURT (BOUD), MANIPUR
Crl Misc case no 12 of 2024

1. Pukhrambam Gopindro Singh, aged about 51 years, S/O P. Thoiba Singh, a resident of Waiton Makha Leikai, P.O. Pangei & P.S. Heingang, Imphal East District, Manipur / 795114.
2. Salam Victoria Devi, aged about 35 years, W/O Salam Shyamsundar Singh, a resident of Waiton Makha Leikai, P.O. Pangei & P.S. Heingang, Imphal East District, Manipur / 795114.
3. Moirangthem Radhamohan Singh, aged about 59 years, S/O M. Jugol Singh, a resident of Waiton Makha Leikai, P.O. Pangei & P.S. Heingang, Imphal East District, Manipur / 795114.

Complainants

Vs

1. Ira Finance Pvt. Ltd. (A Division of Birla Emporium Pvt. Ltd.), Khurai Chingangbam Leikai, Porompat Ayang Palli Road, P.O. Khurai, P.S. Porompat Imphal East District, Manipur, 795010, having Regd. No. U65990MN2019PTC013899, dated 12/07/2019, represented by its CEO/MD, Yumnam Irabanta Singh, aged about 36 years, S/O Y. Meghachandra Singh of Thangmeiband Mesinam Leikai, P.O. Imphal, P.S. Imphal West, Imphal West, Manipur.
2 Birla Emporium Pvt. Ltd., Khurai Sajor Leikai, Imphal East, Manipur, having registered office at 121 Khurai Sajor Leikai, Ukhrul Road Opposite Babu Hotel, Imphal East, bearing Corporate Identification Number (CIN) U72900MN2019PTC013866, and Regd. No. 13866, dated 10/05/2019 under Registrar of Companies (RoC Shillong), represented by its CEO/MD, Yumnam Irabanta Singh, aged about 36 years, S/O Y. Meghachandra Singh of Thangmeiband Mesinam Leikai, P.O. Imphal, P.S. Imphal West, Imphal West, Manipur.

Accused Persons

This is a complaint filed by the above complainants for taking cognizance of the offences under Section 21, 22, 23 and 25 of the Banning of Unregulated Deposits Scheme, 2019 as alleged to have been committed by the accused persons.
Register it as Crl Misc case.

The allegations, in brief, are that the complainants are the depositors of accused No. 1 (which is a subsidiary/financial division of accused No. 2), whereas, the accused No. 1 and 2 are the registered companies as well as the deposit takers in terms of the BUDS Act, 2019, and in respect of the complainants. In and around the last week of Jan., 2020 the complainant No. 1 has heard about the accused No. 1 & 2 from one of his friend, Salam Shyamsundar Singh, husband of the complainant No. 2. He came to know from him that the Accused No. 1 is a financial unit of the accused No. 2, dealing with financial matters, like taking deposits of money from general public for which an interest shall be given at the rate of 5% (five percent) per month of the money deposited. He was also informed that withdrawal of the money deposited either in part or whole shall be allowed to the depositors at any time but after completion of 30 (thirty) days from date of seeking for withdrawal. Relying upon the information, the complainant visited the Office of the accused persons at Khurai Chingangbam Leikai, Porompat Ayang Palli Road, P.O. Khurai, P.S. Porompat, Imphal East District, Manipur, 795010 and opened his account on 27.2.2020, at the Accused No. 1, being Account No. 60014551. On the same day he had deposited a sum of Rs. 7,00,000/- (rupees seven lakh) only, then his passbook was issued.

It is further submitted that having needed money for a start up business, the complainant had submitted a application, dated 3-3-2020, on 3-3-2020 to the Accused No. 1 for withdrawal of a sum of Rs. 7,00,000/- (Rupees seven lakh) only and at the time of submitting the said application he was asked to enquire about the same after 30 (thirty) days. But he was not able to enquire about the same soon after the completion of 30 (thirty) days due to closing of the office of the accused No. 1 & 2, resulted by imposition of lock down due to the outbreak of Covid 19 Pandemic. He had repeatedly visited the Office of the Accused No. 1 and had enquiring for the withdrawal of the money deposited since first week of Sept. 2020. Unfortunately, no positive response was received. He had also submitted a Legal Notice, Dated 28.9.2020, to the Accused No. 1 for withdrawal of Rs. 7,00,000/- (rupees seven lakh) only.

on 18.9.2020, but the Accused persons have not paid heed to the same.

FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)

1. DISTRICT : IMPHAL EAST.

P.S. POROMPAT

YEAR : 2024

FIR NO. 432(7)2024 PRT-PS

Date and time of FIR: 17/07/2024 at 10.30 am

Sl. No.	Acts.	Sections
1.	Banning of unregulated deposit scheme 2019	21,22,23 and 25

3. (a) Occurrence of Offence :

Day: Not known

Date from: Last week of January 2020 Date to :

Time Period:-

Time from: Not mention Time to:

(b) Information received at PS:

Date: 19/7/2024

Time: 9.55 pm

(c) General Diary Reference:

Entry No. 27 /PRT-PS/2024

Date & Time :- 19/7/2024 at 9.55 pm.

4. Type of information: Written

5. Place Occurrence: At Ira Finance Ltd. (A Division of Birla Emporioms Pvt. Ltd.), Khurai Chingangbam Leikai, Porompat Ayang Palli Road.

(a) Direction and Distance from PS: 2 km North from PS.

Beat:

(b) Address : Khurai Chingangbam Leikai and Khurai Sajor Leikai .

(c) In Case Outside the limit of this Police Station, then Name of P.S:

6.. Complainant/ Informant:

(a) Name: 1. Pukhrambam Gopendro Singh, aged about 51 years. 2. Salam Victoria Devi, aged about 35 years and 3. Moirangthem Radhamohan Singh, aged about 59 years

(b) S/O, D/O, W/O, :- 1. P Thoiba Singh, 2. Salam Shyamsundar Singh and 3. M. Jugol Singh.

(c) Date / Year of Birth:- 1973, 1987 and 1971

(d) Nationality: India

(e) UID No.: -

(f) Passport No.

(g) Date of issue:

Place of issue

(h) ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN)

SL. No.	ID Type	ID No.
1.	Not known	Not known

(i) Occupation : - Business

(j) Address:- All three of are Waiton Makha Leikai,

SL. No.	Address Type	Address
1	Present Address	At Birla Emporium Pvt. Ltd. Office at Khurai Sajor Leikai, Imphal east Manipur
2	Permanent Address	Thangmeiband Mesinam Leikai, PO -Imphal, PS- Imphal West, Manipur

(k) Phone Number: Nil