

## FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1991

1. Dist. Jalpaiguri P.S. NJP Year 2022 FIR No. 141/22 Date 03/02/2022
2. (i) Act. IPC Sections 279/304A (ii) Act. — Sections —
- (iii) Act. — Sections — (iv) Other Acts & Sections —
3. [a] Occurrence of Offence : Day Saturday Date From 25/12/21 Date To 25/12/21
- Time Period Evening Hour Time From — Time To at 18:30 hrs
- [b] Information received at P.S. Date 03/02/22 Time 17:15 hrs
- [c] General Diary Reference : Entry No. (s) 113 Time 17:15 hrs
4. Type of Information : — Written / Oral : —
5. Place of Occurrence : (a) Direction and Distance from P.S. 26 km South Beat No. —
- [b] Address Milapally under Mitalpally GP, P.S. - NJP, Dist. Jalpaiguri
- [c] In case outside limit of this Police Station, then the
- Name of the P.S. N/A District N/A
6. Complainant / Informant :
- [a] Name Smt. Gita Ray
- [B] Father's / Husband's Name late Dhoneswar Ray
- [c] Date / Year of Birth — [d] Nationality Indian
- [e] Passport No. — Date of Issue — Place of Issue —
- [f] Occupation —
- [g] Address Sepaipara, Barpali, Naitan Bazar, P.S. Kotwali, Dist. Jalpaiguri
7. Details of known / suspected / unknown accused with full particulars Owner and Driver
- (Attach separate sheet, if necessary) of motorcycle NO WB72-T-6784.
8. Reasons for delay in reporting by the Complainant / Information
- Due to mentally unstable the Complainant  
(could not submit Complaint in due time).
9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)
- motor cycle NO WB72-T-6784
10. Total value of properties stolen / involved —
11. Inquest Report / U.D. Case No. If any —
12. FIR Contents (Attach separate sheets, if required) The original written Complaint  
which is treated as FIR is reproduced as below
13. 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 SI to take up
- investigation / refuse 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
- Signature of the Officer-in-Charge, Police Station

Date &amp; Time of despatch to the court

Name SAMIR TAMANG

Rank SI of Police No. —

O/C New Jalpaiguri P.S. & Co

**COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI**

**M.P Case No- 39/22**

**SMT GEETA ROY AND UNKNOWN DRIVER AND VEHICLE NO WB72-T6784**

**2.2.22**

This day the complainant has filed a petition praying for passing necessary direction upon the concerned Police Station for treating the written complaint as FIR as per provisions of Section 156 sub-section (3) of the Criminal Procedure Code 1973. The complainant is present and she is examined by this court.

Heard Ld lawyer for the complainant.

Series of documents[photo copies] have been filed. Affidavit as stipulated by law has been filed. It is apparent that the modalities of section 154 (3) and section 36 of Criminal Procedure Code 1973 has been complied with. Thus the directions of the Hon'ble Supreme Court given in *Lalita Kumari versus State of U.P [2014] 2 SCC 1 and Priyanka Srivastava and another versus State of UP and others [2015] 6 SCC 287* have been complied with.

Meticulously examined the petition in which allegations of cognizable offence/s have been disclosed. The facts prima facie reveal that criminal complexion can certainly be conjured up. The nature of allegations also persuades me to hold that intervention by police authority is necessary and the cause of justice can only be served by detailed probe.

Hence the prayer is allowed.

The written complaint be sent to NJP PS, Jalpaiguri and OC NJP PS, Jalpaiguri is directed to conduct investigation following the modalities of law treating the complaint as FIR **and to file compliance report to this end at the earliest.**

Let a copy of this order along with the petition of complaint be sent to the NJP PS, Jalpaiguri who is **directed to invest his own consideration to the facts alleged and he should not be influenced by the mere manifestation of the sections- if any- mentioned in the written complaint.**

**Be it mentioned here that if any police case has already been started on the basis of F.I.R. lodged by the complainant over the same facts as envisaged in the present complaint, in that event matter shall be reported to this Court and no fresh case shall be started until further order from this end.**

Comply at once.

It is reiterated here that as per order of the Hon'ble High Court in CRM 4792/2019 **FIR shall be drawn up at the police station not later than 24 hours from the date of receipt of order u/s 156(3) Cr.P.C. and non compliance of the same will entail action u/s 23 Police Act and departmental action also.**

Fix 17.2.22 for compliance report from P.S. concerned.

Sd/-

**C.J.M. , Jalpaiguri**

Chief Judicial Magistrate

Copy forwarded to IC NJP PS, Jalpaiguri



**C.J.M. / Jalpaiguri**

Chief Judicial Magistrate

52 & 600  
sds. [Signature]  
2/2/22