

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

1. Dist. Palpaiguri P.S. NJP Year 2022 FIR No. 1257/22 Date 29/11/2022

2. i) Act. IPC Sections 417/323/34 ii) Act. .... Sections .....

(iii) Act. .... Sections ..... (iv) Others Acts & Sections.....

3. (a) Occurrence of Offence : Day ..... Date From ..... 16/10/2022 Date To .....

Time Period..... Time From ..... 10:00 hrs. Time To ..... 12:05 hrs.

(b) Information received at P.S. Date ..... 29/11/2022 Time ..... 13:13 Time ..... 12:05 hrs.

(c) General Diary Reference : Entry No(s) ..... 1343 Time ..... 12:05 hrs.

4. Type of Information ..... Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. .... Beat No. ....

(b) Address ..... Gadheyagachh, PS-NJP, Dist-Palpaiguri

(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 ..... Amit Dutta  
(b) Father's / Husband's Name ..... Shantanu Dutta.  
(c) Date / Year of Birth ..... (d) Nationality ..... Indian  
(e) Passport No. ..... Date of Issue ..... Place of Issue .....  
(f) Occupation .....  
(g) Address ..... Bhutki Hat, PS-NJP, Dist-Palpaiguri

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) :

① Sumit Dutta s/o U. Samir Dutta of Bhutki Hat, PS-NJP,  
Dist-Palpaiguri and (02) Beauty Dutta w/o U. Shankar Dutta  
s/o DO ② Aparna Dutta w/o U. Samir Dutta of DO/9 Nayan Das s/o  
Shankar Das of Milenpally,  
8. Reasons for delay in reporting by the Complainant / Information  
PS-Hiliganj, Dist-Dibrugarh ③ Pradip Das  
s/o Shankar Das of SD.

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :

.....

10. Total value of properties stolen / involved ..... Nil

11. Inquest Report / U.D. Case No., if any .....  
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12. FIR Contents (Attach separate sheets, if required) : The Original written Complaint which  
is treated as FIR is reproduced overleaf

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. ASI-Sailesh Singh of Ambari Fabricate op under NJPPPS 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.  
In the original  
written complaint

14. Signature / Thumb impression ..... B.G.A.I.M.

of the Complainant / Informant

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station

Name : GAUTAM LASKARRank : No. S.I. OF POLICE  
O/C NJP PS / SPC

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI  
M.P Case No- 390/22

AMIT DUTTA VS SUMIT DUTTA AND OTHERS UNKNOWN

Order dated: 11-11-2022

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 he 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.

Fakultate

Fakultate

The written complaint be sent to O/C Ambari Out Post and O.C Ambari Out Post P.S. 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 O/C Ambari Out Post who is directed to invest her own consideration to the facts alleged and she 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 11-12-22 for compliance report from P.S. concerned.

Forwarded to  
for filing  
for record  
Fakultate at P.D.L

  
C.J.M., Jalpaiguri  
Chief Judicial Magistrate  
Jalpaiguri



09 NOV 2022

जाकिन- लूटकियट,  
जलपाइ- लूटकि दार्शनामा,  
आता- पूर्व- ग्राजुगाख, चर्चसान एन.डी.पी.,  
ज्ञाला- जलपाइयाङ्ग।

[চলমান পর্যায়]- 2.

