

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

5911

1. Dist. Jalpaiguri PS NTP Year: 2021 FIR No. 411/2021 Date 01/05/2021  
2. i) Act IPC Sections 341/323/354/509 ii) Act \_\_\_\_\_ Sections \_\_\_\_\_  
(iii) Act \_\_\_\_\_ Sections 448/379/506/14 (iv) Others Acts & Sections \_\_\_\_\_

3. (a) Occurrence of Offence Day Thursday Date From 18/03/2021 Date To 18/03/2021  
Time Period Morning & Night Time From 09:30 Hr. Time To 22:00 Hr.  
(b) Information received at PS Date 01/05/2021 Time 11:05 Hr.  
(c) General Diary Reference Entry No(s) 20 Time 11:05 Hr.

4. Type of Information Written / Oral  
5. Place of Occurrence (a) Direction and Distance from PS 03 Km South Beat No. \_\_\_\_\_  
(b) Address Ambikahagar Jalgaol Bazar & Surjasew Colony Block-F, P.O. NTP, Dist. Jalpaiguri.  
(c) In case outside limit of this Police Station, then the Name of the PS N/A District N/A

6. Complainant / Informant:  
(a) Name Md. Kalam  
(b) Father's / Husband's Name Md. Moti (d) Nationality Indian  
(c) Date / Year of Birth \_\_\_\_\_ (e) Date of Issue \_\_\_\_\_ Place of Issue \_\_\_\_\_  
(f) Passport No. \_\_\_\_\_  
(g) Occupation \_\_\_\_\_  
(g) Address Surjasew Colony Block-F, P.O. NTP, Dist. Jalpaiguri

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary):  
① Binod Mahato s/o Narayan Das s/o Binod Mahato ② Subir Mahato s/o Binod Mahato ③ Sujit Das s/o Giren Das ④ Rathi s/o Sujit Das all of Surjasew Colony Block-F, P.O. NTP, Dist. Jalpaiguri.

8. Reasons for delay in reporting by the Complainant / Information \_\_\_\_\_  
9. Particulars of properties stolen / involved (Attach separate sheet, if necessary): \_\_\_\_\_

10. Total value of properties stolen / involved \_\_\_\_\_

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

12. FIR Contents (Attach separate sheets, if required): The original written complaint which is treated as FIR is enclosed here with.

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 Anand Debbarh of NTP PS New Jalpaiguri Police Station to take up police investigation / refused investigation / transferred to P.S. Sikdurt Metropolitan 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.

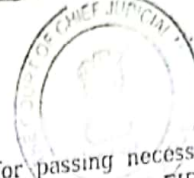
14. Signature / Thumb impression of the Complainant / Informant  
See the original written Complainant

15. Date & Time of despatch to the court:  
Signature of the Officer in Charge, Police Station [Signature]  
Name: SANJAY KUMAR  
Rank: No. SI OF POLICE  
O/C New Jalpaiguri PS, SP

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

**M.P Case No- 110 / 2021**

**MD KALAM VS BINOD MEHTA**



**27.4.21**

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 and OC NJP PS 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 OC NJP PS 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 18.05.21 for compliance report from P.S. concerned.

Sd/-

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

Copy forwarded to OC NJP PS

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