

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1950

1. Dist. Jaipaiqui P.S. NJP Year 2021 FIR No. 1350/21 Date 27/12/2021
2. (i) Act. IPC Sections 279/304A (ii) Act. --- Sections ---
 (iii) Act. --- Sections --- (iv) Other Acts & Sections ---
3. [a] Occurrence of Offence : Day Monday Date From 19/11/21 Date To 19/11/21
 Time Period Evening 1hr Time From --- Time To at 16:30 hr.
 [b] Information received at P.S. Date 27/12/2021 Time 20:40 hr
 [c] General Diary Reference : Entry No. (s) 1764 Time 20:40 hr
4. Type of Information : --- Written/Oral : ---
5. Place of Occurrence : (a) Direction and Distance from P.S. 26 Km South Beat No. ---
 [b] Address In between Koyarkat & Gate Barak, PS-NJP, Dist-Jaipaiqui
- [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 Chandra Kumar Ray
 [B] Father's / Husband's Name Rasendra Ray
 [c] Date / Year of Birth --- [d] Nationality Indian
 [e] Passport No. --- Date of Issue --- Place of Issue ---
 [f] Occupation ---
 [g] Address Katarbari, Po. Daugapara, B. Kotwadi, Dist. Jaipaiqui
7. Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary): Driver of the vehicle bearing no
WB72-X-8149 (Motor cycle).
8. Reasons for delay in reporting by the Complainant / Information

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)
Motorcycle bearing no WB-72X-1571 and WB72X8149
10. Total value of properties stolen / involved ---
11. Inquest Report / U.D. Case No. If any Ref: Matigara PS U/D Case No 1172/21 dtd 20.11.
12. FIR Contents (Attach separate sheets, if required) The original written Complaint which is treated as FIR is reproduced over leaf
27/12/21
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 Sixth Substation 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.
See the original written Complainant
27/12/21
14. Signature / Thumb impression of the Complainant / Informant
 Signature of the Officer-in-Charge, Police Station
SAMIR TAMANG
 Name SAMIR TAMANG
 Rank SP
 No. of new Jaipaiqui PS. SPC

Date & Time of despatch to the court

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 370 / 2021

CHANDRA KUMAR ROY AND DRIVER OF THE VEHICLE BEARING NO WB-72-X
8149(MOTOR CYCLE)

21.12.21

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 he is examined by this court.

Heard Id 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 modalidf ties 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 IC 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 24.01.22 for compliance report from P.S. concerned.

Sd/-

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

Copy forwarded to IC NJP PS, Jalpaiguri

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