

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

1554

1 Dist Jalpaiguri P.S. NIP Year 2021 FIR No. 1354/21 Date 28/12/2021

2 i) Act IPC Sections 498A/506 ii) Act R/W Sections 31/2 Army

(iii) Act \_\_\_\_\_ Sections \_\_\_\_\_ (iv) Others Acts & Sections Prohibition Act.

3 (a) Occurrence of Offence : Day \_\_\_\_\_ Date From Since marriage Date To 04/12/2021  
Time Period \_\_\_\_\_ Time From \_\_\_\_\_ Time To \_\_\_\_\_

(b) Information received at P.S. Date 29/12/2021 Time 14:40 Hr

(c) General Diary Reference : Entry No(s) 1800 Time 14:40 Hr

4. Type of Information : \_\_\_\_\_ Written / Oral

5 Place of Occurrence : (a) Direction and Distance from P.S. 0.5 Km South Beat No. \_\_\_\_\_

(b) Address Pachkatguri, Po. Salwdang, Hd. P.S. 1178 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. Kusum Kumari Sah

(b) Father's / Husband's Name Shibu Sah

(c) Date / Year of Birth \_\_\_\_\_ (d) Nationality Indian

(e) Passport No. \_\_\_\_\_ Date of Issue : \_\_\_\_\_ Place of Issue \_\_\_\_\_

(f) Occupation \_\_\_\_\_

(g) Address Pachkatguri, Po. Salwdang, Hd. P.S. 1178 Dist - Jalpaiguri

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

(Attach separate sheet, if necessary) : ① Shibu Sha s/o Sri Gulab

Sah of Bangaidua, Phulbari, Po+Ps. Phulbari, Dist - West Garo Hills, Meghalaya

② Smt. Brauti Sha w/o Sri Gulab

She of Bangaidua, Phulbari, Po+Ps - Phulbari, Dist - West Garo Hills, Meghalaya

③ Smt. Sabitri Sha w/o Not known of Gotar - J. Am. P.O. P.S. Dhubri, Assam.

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 NIL

12. FIR Contents (Attach separate sheets, if required) : The original written Complaint which is treated as FIR is reproduced over leaf

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 PSI Pasang Tamang of NIP PS 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.

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

Signature of the Officer-in-Charge, Police Station Tamang 28/12/21

Name : SAMIR TAMANG

Rank : No. S.I. O.F. POLICE

15. Date & Time of despatch to the court : 0 (C New) Jalpaiguri P.S. SP

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

**M.P Case No- 373/ 2021**

**SMT KUSUM KUMARI SAH AND SHIBU SHA AND 2 ORS**

**27.12.21**

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 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 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 27.01.22 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