

FIRST INFORMATION REPORT

1140

(Under Section 154 Cr. P.C.)

- 1. Dist. Jalpaiguri P.S. NJP Year 2022 FIR No. 30/22 Date 17/01/2022
- 2. (i) Act. IPC Sections 148/341/323/ (ii) Act. --- Sections ---
- (iii) Act. --- Sections 325/354/506/34 (iv) Other Acts & Sections ---
- 3. [a] Occurrence of Offence : Day Sunday Date From 17/12/21 Date To 17/12/21
- Time Period Morning Hour Time From --- Time To at 09:00hr
- [b] Information received at P.S. Date 17/01/22 Time 13:50 Hr
- [c] General Diary Reference : Entry No. (s) 774 Time 13:50 Hr
- 4. Type of Information : --- Written/Oral : ---
- 5. Place of Occurrence : (a) Direction and Distance from P.S. 05 Km South Beat No. ---
- [b] Address Markunagar, 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 Shelpe Das
- [B] Father's / Husband's Name Babu Das
- [c] Date / Year of Birth 21 year [d] Nationality Indian
- [e] Passport No. --- Date of Issue --- Place of Issue ---
- [f] Occupation ---
- [g] Address Markunagar, P.S. NJP, Dist - Jalpaiguri

- 7. Details of known/suspected/unknown accused with full particulars ① Mamoni Ray a/forst- N/A
- (Attach separate sheet, if necessary) ② Swapen Ray ③ Chandan Ray
- ④ Santosh Ray all go Bailers Ray ⑤ Mahmi Ray a/forst known
- ⑥ wife of Chandan Ray all of Markunagar, P.S. Saludanga Hal
- P.S. NJP, 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 N/A

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

12. FIR Contents (Attach separate sheets, if required) The original written Complainant 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 SI Sub Samir Das P.S. NJP 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

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Date & Time of despatch to the court

Name SAMIR TAMANG
Rank SI OF POLICE
No. ---
SI C New Jalpaiguri P.S.

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 12/22

SMT SILPI DAS AND MAMUNI ROY AND 5 ORS



15.1.22

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. The complainant is present and she is examined by this court. The complainant is present and she is examined by this court.

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 17* have been complied with.

The petition in which allegations of cognizable offence/s have been disclosed. The facts prima facie reveal that criminal complexion can certainly be made 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 investigation.

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 **to file compliance report to this end at the earliest.**

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 he should not be influenced by the mere manifestation of the sections- if mentioned in the written complaint.**

It is 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 case shall be started until further order from this end.

Copy at once.

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

2.22 for compliance report from P.S. concerned.

Sd/-

C.J.M. , Jalpaiguri

Chief Judicial Magistrate
Jalpaiguri

Forwarded to IC NJP PS , Jalpaiguri

C.J.M. , Jalpaiguri

Chief Judicial Magistrate
Jalpaiguri