

1. Dist. Jalpaiguri P.S. NJP Year 2022 FIR No. 227/22 Date 09/03/2022

2. (i) Act. IPC Sections 468/420 (ii) Act. --- Sections ---

(iii) Act. --- Sections --- (iv) Other Acts & Sections ---

3. [a] Occurrence of Offence : Day --- Date From 25/06/19 Date To Till date

Time Period --- Time From --- Time To ---

[b] Information received at P.S. Date 09/03/22 Time 14:40 Hr

[c] General Diary Reference : Entry No. (s) 429 Time 14:40 Hr

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

5. Place of Occurrence : (a) Direction and Distance from P.S. 04 Km South Beat No. ---

[b] Address Fulbari, Ps. 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 Deepak Kr. Ghosh

[B] Father's / Husband's Name Lali Manendra Nath Ghosh

[c] Date / Year of Birth --- [d] Nationality Indian

[e] Passport No. --- Date of Issue --- Place of Issue ---

[f] Occupation ---

[g] Address Fulbari, Ps. NJP, Dist - Jalpaiguri

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

Sri Debashish Paul S/O Late

Debat Ch. Paul of Collegepara, Shibmardir, Ps. Mahigara

Dist. Darjeeling.

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 ---

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 Sri Ganesh Ray S/O S/O 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 Complaint

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. --- District OTC New Jalpaiguri PS. SPC

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No 85/22

DIPAK KR. GHOSH VS DEBASISH PAUL

Order dated: 08-03-2022

This day the complainant has filed a petition praying for passing necessary directions 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 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 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 1* have been complied with.

Meticulously examined the petition in which allegations of cognizable offences 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 of 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 I/C NJP P.S. and I/C NJP P.S. is directed to conduct investigation following the modalities of law treating the complaint as FIR and to submit compliance report to this end at the earliest.

Let a copy of this order along with the petition of complaint be sent to the I/C NJP P.S. who is directed to invest her own consideration to the facts alleged and should not be influenced by the mere manifestation of the sections- if any 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 a 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 08-04-2022 for compliance report from P.S. concerned.

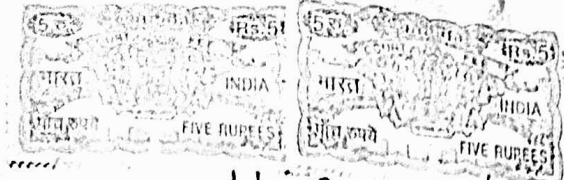
Sd/-

C.J.M., Jalpaiguri.

Copy forwarded to I/C NJP, P.S.
I/C NJP P.S.
for taking necessary steps.

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

F/N 769/22



M.P-85/22
Misc. Petition. No. /2022

Dipak kr. Ghosh

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M/Valeem 8/04/22

Name and Address of the Complainant

Dipak Kr. Ghosh
S/O. Late Manindra Nath Ghosh
Resident of Fulbari
P.S. NJP, Dist. Jalpaiguri

Name and Address of the Accused Person

Sri Debasish Paul
S/O. Late Dulal Ch. Paul
Resident of College Para
Shib Mandir, P.S. Matigara
Dist. Darjeeling

Name & Address of the Witnesses

1. Dipanjan Ghosh
S/O. Dipak Kr. Ghosh
2. Subhojyoti Ghosh
S/O. Sankar Ghosh
Both are residents of Fulbari
P.S. NJP, Dist. Jalpaiguri

Received on 09/03/22 at 11:40 AM
Shri Debasish Paul
S/O. Late Dulal Ch. Paul
Resident of College Para
Shib Mandir, P.S. Matigara
Dist. Darjeeling
Sankar Roy
9/3/22

Application filed U/S. 156(3) of Code of Criminal Procedure

Offence committed U/S. 468 / 420 of Indian Penal Code



.... Contd..P/2

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