

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1083

1. \*Dist. Talpaiguri P.S. NTP Year 2022 FIR No. 232/22 Date 11/03/2022
2. (i) Act. IPC Sections 147/323/325/354/379 (ii) Act. Sections
- (iii) Act. Sections 427/498/502/34 (iv) Other Acts & Sections
3. [a] Occurrence of Offence : Day Monday Date From 21/02/22 Date To 21/02/22  
Time Period Evening Hour Time From Time To at 18:00 Hr
- [b] Information received at P.S. Date 11/03/22 Time 14:15 Hr
- [c] General Diary Reference : Entry No. (s) 518 Time 14:15 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 South Shantinagar, P.S. NTP, Dist. Talpaiguri

[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. Asha Balmiki
- [B] Father's / Husband's Name Sri. Nibkey Balmiki
- [c] Date / Year of Birth [d] Nationality Indian
- [e] Passport No. Date of Issue Place of Issue
- [f] Occupation
- [g] Address Saeth Shantinagar, Ps- New Talpaiguri, Po 2 no Dabgram, Dist- Talpaiguri

7. Details of known / suspected / unknown accused with full particulars 1 Sri Binod Balmiki 5/0 Sushil Balmiki 2 Sri Rajat Balmiki w/o Sri Sushil Balmiki 3 Sri Sushil Balmiki 3/0 New Raon 4 Smt. Ompati Balmiki w/o Sri Sushil Balmiki of village Surra, Po Surra, Dist- Durgachow. 5 Sri Deepak Balmiki S/o Sri B. M. Balmiki 6 Smt. Nisha Balmiki w/o Deepak Balmiki of Saeth Shantinagar, Po 2 no Dabgram, Ps. NTP, Dist Talpaiguri

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 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. Rajan Naha to take up investigation / refuse investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

*all the original written Complaint*

14. Signature / Thumb impression of the Complainant / Informant

Date & Time of despatch to the court

Signature of the Officer-in-Charge, Police Station  
New Talpaiguri Police Station  
Sikuri Metropolitan Police  
 Name SAMIR TAMANG  
 Rank S.I. OF POLICE No. 13/22  
OC New Talpaiguri Ps, SPC

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

**M.P Case No- 88/22**

**SMT ASHA BALMIKI AND BINOD BALMIKI AND 5 ORS**

**9.3.22**

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.

Heard I.d 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 24.3.22 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**



Asha Balmiki  
File to be processed by  
Court at Jalpaiguri  
7.3.2022

IN THE COURT OF LEARNED CHIEF JUDICIAL MAGISTRATE JALPAIGURI

Misc. Petition No. /2022  
u/s 156(3) of Cr.P.C.

31/4/22

Acc

**Complainant :-**

Smt. Asha Balmiki(48yrs)  
Wife of Sri Vickey Balmiki  
resident of village-South  
Shantinagar,  
P.S. New Jalpaiguri  
P.O.2, No. Dabgram  
District-Jalpaiguri

**Accused Persons**

1. Sri Binod Balmiki  
Son of Sushil Balmiki
2. Sri Rajat Balmiki  
s/o Sri Sushil Balmiki
3. Sri Sushil Balmiki  
s/o not known
4. Srimati Om Pati Balmiki  
w/o Sri Sushil Balmiki

all the 04 accused are  
resident of village-Sukna  
near Sukna O.P  
P.O. Sukna  
District-Darjeeling

5. Sri Deepak Balmiki  
s/o Sri Bikkil Balmiki

Received on 11/03/22 at 14:15 hr  
vide NTP PS GDENO 518 D/A. 11/03/22 and  
started NTP PS CASE NO 232/22 D/A  
11/03/22 U/S 147/323/325/354/374/427/  
448/506/34 IPC and endro to  
ASI Raju Subba for its investigation.

*[Signature]*  
11/3/22

Officer-in-Charge  
New Jalpaiguri Police Station  
Siliguri Metropolitan Police

