

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

4221

1. Dist. Jalpaiguri P.S. NTP Year 2022 FIR No. 1078/22 Date 27.9.22

2. i) Act IPC Sections 406/420/208/ ii) Act _____ Sections _____
(iii) Act _____ Sections 354/50/393tc (iv) Others Acts & Sections _____

3. (a) Occurrence of Offence : Day _____ Date From _____ Date To 29.8.22

Time Period _____ Time From _____ Time To _____

(b) Information received at P.S. Date 27.9.22 Time 00:15h

(c) General Diary Reference : Entry No(s) 1492 Time 00:15h

4. Type of Information : _____ Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. _____ Beat No. _____

(b) Address Kamarvita, P.S. NTP Dist. Jalpaiguri

(c) In case outside limit of this Police Station, then the
Name of the P.S. NTP District _____

6. Complainant / Informant :

(a) Name Namita Roy

(b) Father's / Husband's Name Mr. Sachin Roy

(c) Date / Year of Birth _____ (d) Nationality Indian

(e) Passport No. _____ Date of Issue : _____ Place of Issue _____

(f) Occupation _____

(g) Address Gokulvita, P.O. Kamarvita, P.S. NTP Dist. Jalpaiguri

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

(Attach separate sheet, if necessary) : 1) Sudeb Das sp. of Mr. Chandra Das of Kamarvita from Ambari Buraige P.S. NTP Dist. Jalpaiguri
2) Rana Das sp. of Mr. D. D. Mampi Mandal upo. Suman Mandal of Durga Mandir, Kaptanpala, P. Maligani, Dist. Darjeeling

8. Reasons for delay in reporting by the Complainant / Informant _____

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 _____

12. FIR Contents (Attach separate sheets, if required) : The original written complaint 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. ASI Uday Shankar Chatterjee of Ambari to take up investigation / refused investigation / transferred to P.S. Farakata of under NTP 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.

14. Signature / Thumb impression of the Complainant / Informant _____
Signature of the Officer-in-Charge, Police Station _____
Name : PARTHA SARATHI DAS
Rank : No. SI OF POLICE
O/c NTP P.S. NTP

15. Date & Time of despatch to the court :

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No-342/22

NAMITA ROY VS SUDEB DAS

Order dated: 22-09-22

On 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 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 O/C Ambari Outpost P.S. and O.C Ambari Out Post 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 IO/C Ambari Out Post who is directed to invest her own consideration to the facts alleged and she 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 29-09-2022 for compliance report from P.S. concerned.

CJM Jalpaiguri

Chief Judicial Magistrate
Jalpaiguri

Received on 26/09/2022
at 2205 hrs vide New FIR of
CDE no 901 D/26/09/2022
and furnished to O/C NPP PS
to start a case under
proper section of law
and endorse to P.S. Jalpaiguri
Sankar Bhattacharya

26/09/2022
OFFICER IN CHARGE
AMBARI FALAKATA OUTPOST
NEW JALPAIGURI