

1654 Dis: Salpaiguri P.S. NSP Year 2022 FIR No. 1261/22 Date 01/12/2022

(i) Act: IPC Sections 341/323/325/ii) Act: Sections

(iii) Act: IPC Sections 207/354/506 (iv) Others Acts & Sections

(a) Occurrence of Offence : Day Date From 08/11/2022 Date To

Time Period Time From 11:30 hrs Time To

(b) Information received at P.S. Date 01/12/2022 Time 11:45 hrs.

(c) General Diary Reference : Entry No(s) 23 Time 11:45 hrs.

Type of Information Written Written / Oral

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

(b) Address Kamarvita, P.S. NSP, Dist. Salpaiguri

(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District N/A

Complainant / Informant :

(a) Name Smt. Bimala Mandal

(b) Father's / Husband's Name U. Bijay Mandal

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

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

(f) Occupation

(g) Address of Kamarvita, P.S. NSP, Dist. Salpaiguri

7. Details of known / suspected / unknown accused with full particulars - ① Nandita Sen @ Das w/o

(Attach separate sheet, if necessary) :

Subrata Mandal of Hatiyadonga, P.S. NSP, Dist. Salpaiguri ② Reju Das s/o Paola Das of Nalajipana, Ghugumali, P.S. Bhojningan, Dist. Salpaiguri ③ Subrata Mandal s/o U. Bijay Mandal of Hatiyadonga, P.S. NSP, Dist. Salpaiguri

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 Nil

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 Biswajit Ghosh of Ambani Falakata OP under NSP 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 of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Name : PARITHA SARATHI DAS Rank : No. SI OF POLICE OIC NSP PS / SPC.

15. Date & Time of despatch to the court :

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No-400/22

BIMALA MANDAL VS NANDITA SEN (DAS)

Order dated: 22-11-22

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 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 Police Fari and O.C Ambari Police Fari P.S. 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 O/C Ambari Police Fari 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 22-12-22 for compliance report from P.S. concerned.

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

Forwarded to...
of Ambari
for necessary action.

Received on 01/12/2022 at 12:35hr
Nho Ambari Falakata OP ODA No
17 Dated 01/12/2022 and forwarded
to ofc NPP PS to start a case under
proper Section of law. and endorse
to ASI Biswanjit Ghosh.

01/12/2022
OFFICER IN CHARGE
AMBARI FALAKATA OUT POST
NEW JALPAIGURI P.S. SPC.