

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

2419

1. Dist. Tapaiguri P.S. NTP Year 2023 FIR No. 268/23 Date 25.3.23
 2. i) Act IPC Sections 498A IPC ii) Act IPC Sections 3/4 D.P. Act
 iii) Act IPC Sections 3/4 D.P. Act iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Since long Date From 19.2.23 Date To 19.2.23
 Time Period Since long Time From Since long Time To Since long

(b) Information received at P.S. Date 25.3.23 Time 09.55h

(c) General Diary Reference : Entry No (s) 1141 Time 09.55h

4. Type of Information Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Charinaram, Khera Hat, P. Fakata, Dist. Alipore

(b) Address Charinaram, Khera Hat, P. Fakata, Dist. Alipore

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

6. Complainant / Informant :

(a) Name Sikha Das w/o. Fakur Das

(b) Father's / Husband's Name Sunil Das

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

(e) Passport No. Since long Date of Issue Since long Place of Issue Since long

(f) Occupation Since long

(g) Address No. 1, Takimari, Khera Hat, P. NTP Dist. Tapaiguri

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

(Attach separate sheet, if necessary) :

1. Fakur Das s/o. Usha Ranjan Das, 2. Kajal Bab Das w/o. Usha Ranjan Das, 3. Usha Ranjan Das s/o. not nkd, 4. Sajal Das s/o. Usha Ranjan Das, 5. Nandi Das w/o. Sajal Das, 6. Monik Das s/o. Usha Ranjan Das

8. Reasons for delay in reporting by the Complainant / Information Monik Das s/o. Usha Ranjan Das

7. Konika Das w/o. Monik Das all of Charinaram, Khera Hat, P. Fakata, Dist. Alipore

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :

10. Total value of properties stolen / involved NIL

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 reproduced over case

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 Arup Singh of Tapaiguri P.S. under NTP R. to take up investigation / refused investigation / transferred to P.S. NTP R. 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 On the original written comp

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station

Name ARTHA SARATHI DAS

Rank : No. OF POLICE

OF NTP R. SPC



IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 51/2023

SIKHA DAS VS THAKUR DAS AND 6 OTHERS

Order dated: 27-02-2023

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 I/C N.J.P and I.C N.J.P 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 I/C N.J.P who is directed to invest her 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 27-03-2023 for compliance report from P.S. concerned.

I/C N.J.P P.S.
Forwarded to.....
for taking necessary action.

Chief Judicial Magistrate
Jalpaiguri

Offences U/ S 498-A IPC & 3 & 4 D. P. Act.

Petition / 820 / 2023
Case No. Misc. Petition / 51 / 2023
IN THE COURT OF THE LEARNED CHIEF JUDICIAL MAGISTRATE,
JALPAIGURI



PETITION U/S 156(3) CR. P. C.

NAME OF THE PETITIONER

Smt. Sikha Das (22 Yrs.)
W/o Sri Thakur Das
D/o Sunil Das
Vill. - No 1 Takimari, Milan Pally.
P.S. - N J P
Dist. - Jalpaiguri

NAME OF THE ACCUSED PERSON

- 1) Thakur Das S/o Usha Ranjan Das
 - 2) Kajali Bala Das W/o Usha Ranjan Das
 - 3) Usha Ranjan Das
 - 4) Sajal Das S/o Usha Ranjan Das
 - 5) Mampi Das W/o Sajal Das
 - 6) Manik Das S/o Usha Ranjan Das
 - 7) Konika Das W/o Manik Das
- All are resident of

Vill. - Dhanirampur, Khagen Hat,
P. S. - Falakata, Dist. - Alipurduar

NAME OF THE WITNESSES :

- 1) Dropodi Das
W/o Sunil Das
- 2) Sefali Das
W/o - Swapan Das
- 3) Jonardhan Das
S/o Rono Charan Das

All are residing at -
Vill. - No 1 Takimari, Milan Pally.
P.S. - N J P
Dist. - Jalpaiguri

&
Others

Place, Date and time of the Offences

Khagen Hat & No. 1 Milanpally, since after one
month of Petitioner's marriage with Accd. No.1

Offences U/ S 498-A IPC & 3 & 4 D. P. Act.

