

2439

1. Dist. Jalpaiguri P.S. NJP Year 2023 FIR No. 288/23 Date 01.4.23

2. i) Act IPC Sections 341/323/325/307/506/34 Sections

iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 01.4.23 Date To Time Period Time From 23:30 hrs Time To

(b) Information received at P.S. Date 01.4.23 Time 00:45 hrs

(c) General Diary Reference : Entry No (s) 04 Time 00:45 hrs

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 2 1/2 KM North Beat No. (b) Address Dakshin Shantinagar, PS-NJP, Dist. Jalpaiguri

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

6. Complainant / Informant : (a) Name Ratan Roy (b) Father's / Husband's Name S/o Lt. Mangal Roy (c) Date / Year of Birth 47 yrs (d) Nationality (e) Passport No. Date of Issue : Place of Issue (f) Occupation (g) Address Dakshin Shantinagar, PS-NJP, Dist. Jalpaiguri

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : ① Kala Das (35) s/o Lt. Naryan Ch. Naren Das
② Samant Das (20) s/o Dinanath Das ③ Bimal Das (36) s/o Lt. Purna Ch. Das ④ Golak Das (23) s/o Haripada Das
All of Dakshin Shantinagar, PS-NJP, Dist. Jalpaiguri.

8. Reasons for delay in reporting by the Complainant / Information Misc. Petition No. 88/23 u/s 156(c) of Cr.P.C.

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 Mediguna is u/s case No. 115/23

12. FIR Contents (Attach separate sheets, if required) : 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 SI Dipankar Chatterjee 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 SI Partha Sarathi Das Rank : No. ofc. NJP PS/SPC

15. Date & Time of despatch to the court :

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI
M.P Case No- 88/2023

RATAN ROY VS KALA DAS

Order dated: 24 -03-2023

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 NJP P.S. Jalpaiguri and I/C NJP 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 NJP P.S. Jalpaiguri 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 24-04-2023 for compliance report from P.S. concerned.

CJM Jalpaiguri
Chief Judicial Magistrate
Jalpaiguri

Copy forwarded
I/C NJP for
compliance
Forwarded to
for taking necessary action.



01/04/2023
Officer-in-Charge
New Jalpaiguri Police Station
Siliguri Metropolitan Police

F/N 1153/23

মাননীয় মূখ্য বিচার বিভাগীয় আদালত, জলপাইগুড়ি



L.T.S. of Ratan Roy

24.03.23

মিস. পিটিশন নং-

88/23

2023

ফৌজদারী কার্যবিধির ১৫৬ (৩) ধারামতে প্রার্থনা

অভিযোগকারীর নাম ও ঠিকানাঃ

শ্রী রতন রায় (বয়স ৪৭ বছর)
পিতা- মৃত মঙ্গল রায়
সাকিন- দক্ষিণ শান্তিনগর
পোঃ- ডাবগ্রাম - ২
থানা- নিউ জলপাইগুড়ি
জেলা- জলপাইগুড়ি
পিন- ৭৩৪০০৪

আসামীদের নাম ও ঠিকানাঃ

- ১) কালা দাস (বয়স ৩৫ বছর)
পিতা- মৃত নারায়ণ দাস ও নরেন দাস
- ২) সমীর দাস (বয়স ২০ বছর)
পিতা- দীনবন্ধু দাস
- ৩) বিমল দাস (বয়স ৩৬ বছর)
পিতা- মৃত পূর্ণচন্দ্র দাস
- ৪) গোলেদ দাস (বয়স ২৩ বছর)
পিতা- হরিপদ দাস

Received on 01.4.23
at 00:45 hrs vide bDE
No. 04 and started NIP RS
case No. 288/23 dt. 01.4.23
4/3-341/323/325/307/506/34
IPC. 31 Dipannar Chakraborty
will investigate the
case.

উপরোক্ত সকলের
সাকিন- দক্ষিণ শান্তিনগর
পোঃ- ডাবগ্রাম - ২
থানা- নিউ জলপাইগুড়ি
জেলা- জলপাইগুড়ি
পিন- ৭৩৪০০৪

01/04/23
Officer-in-Charge
New Jalpaiguri Police Station
Siliguri Metropolitan Police

(চলমান পাতা - ২)