

2449

1. Dist. Jalpaiguri P.S. NTP Year 2023 FIR No. 298/23 Date 8-4-23

2. i) Act I.P. Sections 447/323/307/506/34 IPC Sections

iii) Act Arms Act. Sections 25(1)(a)/27 Arms Act. iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From Date To 15-2-23

Time Period Time From Time To 11:00 AM

(b) Information received at P.S. Date 8.4.23 Time 14:30 H.

(c) General Diary Reference : Entry No (s) 351 Time 14:30 H.

4. Type of Information Written / Oral

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

(b) Address Pandari Fakata Mura P.S. Khutian no. 8/11 P. NTP
Dist. Jalpaiguri

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

6. Complainant / Informant :

(a) Name Aliar Rahman

(b) Father's / Husband's Name Rahman Ali

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

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

(f) Occupation

(g) Address Guabari Gachyogachh P.O. Bhufkidangpara P. NTP Dist. J.P.G.

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

(Attach separate sheet, if necessary) : 1) Majid Alam s/o. Baish Angulia/Bardui
Nagar, Guabari, P.O. Bhufki Dangpara P. NTP Dist. Jalpaiguri

2) Rajesh Agarwal s/o. Rajendra Agarwal of Ramp
Krishna Society Building, Seroke Road P. Siliguri Dist.

8. Reasons for delay in reporting by the Complainant / Information Chasing and others.

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 N/A

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 SI Rakesh Subgati of Pandari Fakata OP to take up investigation / refused investigation / transferred to P.S. under NTP RI 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.

On the original written complaint

14. Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Name PARHA SARATHI DAS

Rank : No SI OF POLICE
O/c NTP P.S. SAI

15. Date & Time of despatch to the court :



IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 74/23

ALIAR RAHAMAN VS MAJID ALAM

Order dated: 17-03-23

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 Falakata Out Post Jalpaiguri and O/C Ambari Falakata 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 O/C Ambari Falakata Out Post, 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 014-04-2023 for compliance report from P.S. concerned.

Forwarded to.....
for taking necessary action

Chief Judicial Magistrate Jalpaiguri

Before the Notary Public at Jalpaiguri

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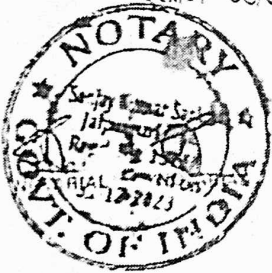
আমি অনিয়ার রহমান, বয়স ৭৫ বছর, পিতা - রহমান আলী, গর্ভ - মুসলীন, জাতি - ভারতীয়, পেশা - কৃষিকার, ঠিকানা - গুয়াবাড়ী, গাধেয়াগড়, পোঃ - ভুটকি ভাঙ্গাপাড়া, থানা - এন জে পি, জিলা জলপাইগুড়ি, এই মর্মে নিম্নোক্ত ঘোষণা করছি যে :-

১। আমি ১) মজিদ আলম, পিতা বাইশ আব্দুলিয়া (ডাকনাম), বন্ধু নগর, গুয়াবাড়ী, পোঃ - ভুটকি ভাঙ্গাপাড়া, থানা - এন জে পি, জিলা জলপাইগুড়ি, ২) রাশেদ আখারওয়াল, পিতা লক্ষীচাঁদ আখারওয়াল, ঠিকানা - রামকৃষ সমিতি বিডিং, সেভক রোড, পোঃ ও থানা - শিলিগুড়ি, এদের বিরুদ্ধে ঘটনার আমি অভিযোগকারী বটে।

ইহা আমার জ্ঞান ও বিশ্বাস মতে সত্য।

২। এই অভিযোগের বর্ণিত ১ নং অনুচ্ছেদ থেকে ২ নং অনুচ্ছেদের বর্ণিত বর্ণনা সম্পূর্ণভাবে সত্য ও অবশিষ্ট অংশ আমার প্রার্থনা।

উপরোক্ত বক্তব্য যা আমি বলেছি তা সম্পূর্ণভাবে সত্য জেনে ও মেনে আমি এই হলফনামায় অন্য হস্তাক্ষর ০৬/৩/২০২৩ তারিখে আদালত প্রাপ্তে আমার স্বাক্ষর প্রদান করলাম।



Sanjay Kumar Sarkar

স্বাক্ষর

সনাতকবরী

Sanjay Kumar Sarkar

আইনজীবী, জলপাইগুড়ি। 12/3/2023

Solemnly Affirm and Declared
before me on proper identification

Sanjay Kumar Sarkar
Sanjay Kumar Sarkar, NOTARY
Regd. No. 13764 Jalpaiguri District
GOVT. OF INDIA

17 MAR 2023

Received on 8.6.23 at
14.30 hrs. via *Sanjay Sarkar*
at 8.6.23 and of *Sanjay Sarkar*
NJP to case no. 298/23
Dt. 8.6.23 of 447/223/307/566/565/56
R/n Sec 25(1)(b)/39, *Sanjay Sarkar*
entered to *Sanjay Sarkar*
deputy of *Sanjay Sarkar*
Fatahah *Sanjay Sarkar*
P. 200 *Sanjay Sarkar*

Officer-in-charge
N.J.P. Police Station
Siliguri Police Commissionerate