

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

1848

1. Dist. Jalpaiguri P.S. NJP Year 2023 FIR No. 693/23 Date 16.07.2023

2. i) Act IPC Sections 447/324/325/307/506 ii) Act -342PC Sections

(iii) Act Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Date From Date To 09-06-2023

Time Period Time From Time To 12:30 hrs

(b) Information received at P.S. Date 16-07-2023 Time 11:45 hrs

(c) General Diary Reference : Entry No(s) 715 Time 11:45 hrs

4. Type of Information : Written / Oral

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

(b) Address Kalangini, 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 Santosh Ch. Sarkar

(b) Father's / Husband's Name H. Gour Ch. Sarkar

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

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

(f) Occupation

(g) Address Panchkolguri PO-Sahudangi Hat, PS-NJP Dist: Jalpaiguri

7. Details of known / suspected / unknown accused with full particulars V/S: 1) Bablu Roy S/O Lt Tut Roy, 2) Aparna Roy w/o Bablu Roy, 3) Bakul Roy S/O Tut Roy, 4) Jharna Roy w/o Tut Roy, 5) Arjuna Roy w/o Bakul Roy, all of village Panchkolguri PO-Sahudangi Hat, PS-NJP Dist: Jalpaiguri, and 6) Uman Roy S/O Mihir Roy.

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 Complt which is treated as FIR in reproduced over leaf.

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 SG Premab Singh of NJP B. SPC to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complain/ 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 The original Court Complain. Signature of the Officer-in-Charge, Police Station Name: PARTHA SARATHI DAS

15. Date & Time of despatch to the court : Rank : No. SI OF POLICE
O/C NJP B. SPC

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No-182/23

SANTOSH CHANDRA SARKAR VS BABLU ROY AND OTHERS

Order dated:19-06-2023

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 20-07-23 for compliance report from P.S. concerned.

Forwarded to I/C NJP P.S. Jalpaiguri for taking necessary action.

JM, Jalpaiguri
Chief Judl. Magistrate
Jalpaiguri

Received on 16-07-2023 at 11-45 hrs. U/dt NJP P.S. G.D.No. 715 dt 16-07-2023 and started NJP P.S. Case No-693/23 dt 16-07-2023 u/s. 447/324/325/307/506/342P2 and endorsed to Sd Pranab Singh dt NJP P.S. for further investigation.

Officer-In-Charge
16/7/23 New Jalpaiguri Police Station
Siliguri Metropolitan Police