

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

1611

1) Date: SPC P.S. NJP Year 2024 FIR No. 108/24 Date 13-02-24
2) Act: Sections 448/341/312/225/354/354B/427/506/34 IPC

3) (a) Circumstances of offence: Day or md Date from 26-12-23 Date to
Time Period: Time from 09-00 hr Time to

(b) Information received at P.S. Date 13-01-24 Time 16-15 hrs
(c) General Diary Reference: Entry No. (e) 687 Time 16-15 hrs

4) Type of Information: written Written / Oral

5) Place of Occurrence: (a) Direction and Distance from P.S. to scheme Oberbaha Murder near to Sakete Town ship
(b) Address: 45- NJP, Dist Jalpaiguri

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

6) Complainant / Informant: (a) Name Mohsom Khan

(b) Father's / Husband's Name Afjal Mohammad
(c) Date / Year of Birth (d) Nationality Indian

(e) Passport No. Date of issue Place of issue

(f) Occupancy: to scheme Oberbaha Murder near to NJP, Dist Jalpaiguri

(g) Address: to scheme Oberbaha Murder near to NJP, Dist Jalpaiguri

- 7) Details of known / suspected / unknown accused with full particulars (Attach separate sheet if necessary)
- 1) Bahadur Md. s/o. Hameed Mohammad 2) Sufatul Md. s/o. Dr. 3) Raju Md. s/o. Younis Mohammad 4) Bura Md. s/o. Rabi Mohammad 5) Fakhri Md. s/o. Muzafar Mohammad 6) Alam Md. s/o. Indipurna 7) Shamul Md. s/o. Rabi Mohammad 8) Abu Md. s/o. Sattu Mohammad 9) Akbar Md. s/o. Shaukatul Md. 10) Shaukatul Md. s/o. Shaukatul 11) Manu Md. s/o. Unnawa 12) Ratul Md. s/o. Akbarul Md. 13) Fajrul Md. s/o. Sufatul Md. 14) Sami Md. s/o. Sufatul Md. 15) Sufatul Md. s/o. Sufatul Md. 16) Sufatul Md. s/o. Sufatul Md. 17) Sufatul Md. s/o. Sufatul Md. 18) Sufatul Md. s/o. Sufatul Md. 19) Sufatul Md. s/o. Sufatul Md. 20) Sufatul Md. s/o. Sufatul Md.

8) Particulars of properties stolen / involved (Attach separate sheet if necessary)

9) Total value of properties stolen / involved

10) Inquest Report / I.D. Case No. / any

11) F.I.R. Contents (Attach separate sheet if required) The original complaint of the complainant which is treated as FIR is reproduced overleaf.

12) Action Taken: Since the above report reveals commission of offence as mentioned in item No. 2, Registered the case and took up the investigation / directed SI Md. Jannullah to take up investigation / released investigation / transferred to P.S. on point of jurisdiction. F.I.R. read over to the Complainant / informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

13) Signature / Thumb impression of the Complainant / informant Noted in written complaint

14) Signature of the Officer-in-Charge, Police Station R/13/02/24
Name Nigmal Khan
Rank: No. SI of Police
15) Date & Time of dispatch to the court: 13-02-24

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI
M.P. Case No-17/24

MAHURAM KHATUN VS SAHID MD. AND OTHERS

Order dated 11-01-24

This day the complainant has filed a petition praying for passing necessary direction to 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 counsel for the complainant. Copies 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 Bhatnagar and another versus State of UP and others [2015] 10 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 HJP PS and I/C HJP PS, is directed to conduct investigation following the modalities of law treating this 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 HJP PS 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 CRIM 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.

By 09-02-24 for compliance report from PS, concerned.

*Copy forwarded to
I/C HJP PS,
for compliance*

CJM Jalpaiguri
Chief Judicial Magistrate
Jalpaiguri

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215/24
1/2/24
1/2/24

Police Station
02-24