

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

1085

1. Dist Jalpaiguri P.S. NJP Year 2021 FIR No. 135/2021 Date 16/02/2021

2 i) Act 18C Sections 341/322/325/354/ ii) Act _____ Sections _____

(iii) Act _____ Sections 379/506/34 (iv) Others Acts & Sections _____

3. (a) Occurrence of Offence : Day Saturday Date From 02/01/2021 Date To 02/01/2021

Time Period _____ Time From _____ Time To at 20:00 Hr.

(b) Information received at P.S. Date 16/02/2021 Time 12:35 Hr.

(c) General Diary Reference : Entry No(s) 797 Time 12:35 Hr.

4. Type of Information : _____ Written Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 0: Km Beat No. _____

(b) Address D.S. Colony, P.S. NJP, Dist. Jalpaiguri

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

6. Complainant / Informant :

(a) Name Smt. Lilabati Sha.

(b) Father's / Husband's Name Lalbabu Sha.

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

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

(f) Occupation Homemaker

(g) Address D.S. Colony, P.S. NJP, Dist. Jalpaiguri

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

(Attach separate sheet, if necessary) : ① Sanjit Sha s/o Bhagbat Sha
② Rabi Sha s/o Ashok Sha ③ Bepin Sha s/o
Kumar ④ Bhagbat Sha s/o Kumar ⑤ Umila Sha s/o Bhagbat Sha
⑥ Radha Sha s/o Ashok Sha ⑦ Smt. Rita Sha s/o Mr. Kumar

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

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

One gold chain

10. Total value of properties stolen / involved _____

11. Inquest Report / U.D. Case No., if any _____

12. FIR Contents (Attach separate sheets, if required) : The original written Complaint which is treated in FIR is reproduced over leaf.
[Signature]
16/02/21

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. Pente Ghosh of NJP PS 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.

On the original written Complaint

[Signature]
16/02/21

14. Signature / Thumb impression of the Complainant / Informant _____ Signature of the Officer-in-Charge, Police Station

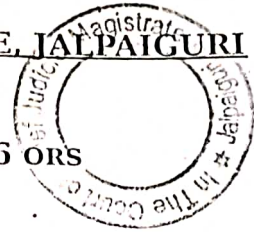
Name : SAMIR TAMANG
SI OF POLICE

15. Date & Time of despatch to the court : _____ Rank: No. C/C New Jalpaiguri PS. SPC

COURT OF THE CHIEF JUDICIAL MAGISTRATE, JALPAIGURI

M.P Case No- 41 /2021

SMT LILABATI SHA VS SANJIT SHA AND 6 ORS



Order dated 12.02.21

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 she 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 NJP PS and OC 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 OC NJP P.S. who is **directed to invest his 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 01.03.21 for compliance report from P.S. concerned.

[Signature]
C.J.M. Jalpaiguri
Chief Judl. Magistrate
Jalpaiguri

Copy forwarded to OC NJP P.S.

[Signature]
C.J.M. Jalpaiguri
Chief Judl. Magistrate
Jalpaiguri



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