First Information Report (FIR)

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Filing an FIR is crucial for initiating an investigation and seeking justice. It is a written document prepared by the police when they receive information about the commission of a cognizable offence. Cognizable offence is a crime for which the police can arrest someone without a warrant and start an investigation. These cases are mentioned in the first schedule of BNSS, 2024. Example: rape, murder, theft.

Who can file an FIR:

- A victim of a crime.
- A relative or friend or acquaintance of the victim
- Someone who has knowledge about a crime that has taken place or is about to take place.
- An officer in charge of a police station may also register an FIR if a cognizable offence is committed in his presence.

Steps in filing an FIR:

1. **Vist the nearest police station**: Go to the nearest police station to the location where the incident took place. It’s important to file the FIR in the place where the incident occurred, that is the place where the police has the authority to do something. Zero FIR: In cases of cognizable offences, FIR can also be filed in any police station and not only the one having power over the area where the incident occurred , and the case will be

forwarded.

2. **Approach the police officer on duty**: At the police station approach the police officer on duty at the front desk or reception. They must guide you to the appropriate officer. In every police station its the writer who registers an FIR, who is in the rank of a sub-inspector and in his absence by the senior most official of the police station. A sub Inspector is the official having two star on his shoulder badge along with two stripes. embedded-image-upfu3ato.png

3. **Provide details**: Be accurate and provide all relevant details to the police. It is not necessary that you must have all information about the crime in order to file an FIR, But it is important that you report everything you know to the police. You can give your complaint orally or in writing to the correct police officer. If your complaint is given orally, the police officer will write it down in the prescribed format and receive the signature of the complainant after reading it out to him/ her/ them. The complaint will be in the words of complainant. Include the date, time, and location of the incident, along with a description of what happened.
4. **Obtain a copy**: You are entitled to a free copy of the FIR. Request it from the police officer.
5. **Contact information**: Ask for the contact details of the police officer handling your case. This will help you follow up on the progress of the investigation if needed.

What happens after an FIR is recorded

1. **FIR copies**: After filing the FIR, four copies are made. The original copy goes to the magistrate. One copy stays at the police station, another goes to the Superintendent of Police, and one is sent to the higher officer, often the Circle Inspector.
2. **Investigation and Updates**: Once the FIR is filed, the police will begin investigating the matter. The Sub-Inspector has to investigate the complaint himself or record the reasons why he deputed someone else.
3. **Reporting to magistrate**: The investigating officer has to give a report to the magistrate about the FIR within 60 days (for less serious cases) or within 90 days (for more serious cases).
4. **Follow Up**: If you feel that your case is not progressing as expected or you have concerns, you can follow up with the police officer or the higher authorities in the

department.

5. **Keep the client informed**: If in case you have filed the FIR on behalf of another person, then keep that person informed on the updates in the case.

WHAT CAN BE DONE IF THE POLICE REFUSES TO FILE FIR

- You can file a zero FIR in another police station.
- If the local police station refuses to file an FIR, you can approach the Superintendent of Police (SP) with a written complaint. If this SP feels there is is merit in the case, they can appoint a police officer to start an investigation.
- If even after submitting a complaint to the Senior Police Officials no FIR is lodged then the informant is legally entitled to file a complaint to the Judicial Magistrate / Metropolitan Magistrate.
- The aggrieved person may also file a writ petition in the respective High Court for the issuing of Writ of Mandamus against the Police Officers, and the court would direct them to come up with the reasoning as to why they did not lodge the report.

> NOTE: An FIR in itself is not a criminal case filed against someone. It is just the information received by the police relating to the commission of a crime. A criminal case begins when the chargesheet is filed by the police before the Court and a Public Prosecutor is appointed by the State.

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