

WHAT CAN YOU DO IF YOUR FIR IS NOT REGISTERED

- You can meet the Superintendent of Police (SP) or other higher officers like the Deputy Inspector General of police and Inspector General of Police and bring your complaint to their notice.
- You can send your complaints in writing and by post to the Superintendent of Police concerned. If the SP is satisfied with your complaint he shall either investigate the case himself or order an investigation to be made.
- You can file a private complaint before the court having jurisdiction.
- You can also make a complaint to the State Human Rights Commission or the National Human Rights Commission if the police do nothing to enforce the law or do it in a biased and corrupt manner.

The police may not investigate a complaint even if you file an FIR, when:

- 1) The case is not serious in nature;
- 2) The police feel that there is not enough ground to investigate.

However, the police must record the reasons for not conducting an investigation and in the latter case must inform you.

- [Section 157, Criminal Procedure Code, 1973]

Proforma for Registration of FIRST INFORMATION REPORT (Under Section 154 Cr.P.C.)

- District Police Station Year..... FIR No..... Date
- Final Report / Charge Sheet No
- (i) Date of Occurrence of Crime Time / Duration
(ii) Date of informing at Police Station Time
(iii) General Diary Reference Number
- Type of Information: written / verbal
- Place of Occurrence: (i) distance from Police Station and direction (ii) Patrol Number (iii) Address
(iv) If it is out of the range of this police station, then name of the police station District
- (a) Name of complainant / informant
(b) Father's / Husband's name
(c) Date of Birth (d) Nationality
(e) Address
- Details of known/suspected/unknown accused persons:
(a)
(b)
- Reason for delay in informing by the complainant / informant
- Details of property stolen
- Total value of stolen goods
- Inquest report of death / unnatural death U.D. case number, if any
- First Information Report:
- Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2. :
(a) Registered the case and took up the investigation or
(b) Directed (Name of I.O.) Rank No. to take up Investigation / give investigation report, or
(c) Refused to investigate because
(d) Transferred to P.S. District 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.

R.O.A.C. _____
Signature of Officer in charge,
(at the time of charge sheet)
Police Station.....
Name
Rank..... No.

- Signature / Thumb impression of the complainant / informant.
- Date and time of despatch to the court

* (Main parts of the First Information Report)

ABOUT CHRI

The Commonwealth Human Rights Initiative (CHRI) is an international, independent non-profit organization headquartered in India. Its objectives are to promote the practical realisation of human rights in the Commonwealth. CHRI advocates for greater adherence to human rights standards.

Presently we work in the following areas:

- ★ Police Reforms
- ★ Prison Reforms
- ★ Right to Information
- ★ Strategic Initiatives Programme
- ★ Reports to the Commonwealth Heads of Government Meeting (CHOGM)



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First Information Report

Police and You Know Your Rights



Commonwealth
Human
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WHAT IS AN FIR?

First Information Report (FIR) is a written document prepared by the police when they receive information about the commission of a cognizable offence. It is a report of information that reached the police first in point of time and that is why it is called the First Information Report.

It is generally a complaint lodged with the police by the victim of a cognizable offence or by someone on his/her behalf.

Anyone can report the commission of a cognizable offence either orally or in writing to the police. Even a telephonic message can be treated as an FIR.



WHY IS AN FIR IMPORTANT?

An FIR is a very important document as it sets the process of criminal justice in motion. It is only after the FIR is registered in the police station that the police take up the investigation of the case.

WHO CAN LODGE AN FIR?

Anyone who knows about the commission of a cognizable offence can file an FIR. It is

not necessary that only the victim of the crime should file an FIR. A police officer who comes to know about a cognizable offence can file an FIR himself/herself.

You can file an FIR if:

- You are the person against whom the offence has been committed;
- You know about an offence which has been committed;
- You have seen the offence being committed;

WHAT IS THE PROCEDURE OF FILING AN FIR?



The procedure of filing an FIR is prescribed in Section 154 of the Criminal Procedure Code, 1973.

- When information about the commission of a cognizable offence is given orally, the police must write it down
- It is your right as a person giving information or making a complaint to demand that the information recorded by the police is read over to you;

- Once the information has been recorded by the police, it must be signed by the person giving the information;
- You should sign the report only after verifying that the information recorded by the police is as per the details given by you.
- People who cannot read or write must put their left thumb impression on the document after being satisfied that it is a correct record.
- Always ask for a copy of the FIR if the police do not give it to you. It is your right to get it free of cost.

WHAT SHOULD YOU MENTION IN THE FIR?



- Your name and address;
- Date, time and location of the incident you are reporting;
- The true facts of the incident as they occurred;
- Names and descriptions of the persons involved in the incident;
- Witnesses, if any

THINGS YOU SHOULD NOT DO:

- A witnesses should never file a false complaint or give wrong information to the police. You can be prosecuted under law for giving wrong information or for misleading the police.
- [Section 203, Indian Penal Code 1860]
- Never exaggerate or distort facts.
- Never make vague or unclear statements



COGNIZABLE OFFENCE

A cognizable offence is one in which the police may arrest a person without a warrant. They are authorized to start investigation into a cognizable case on their own and do not require any orders from the court to do so.

NON-COGNIZABLE OFFENCE

A non-cognizable offence is an offence in which a police officer has no authority to arrest without warrant. The police cannot investigate such an offence without the court's permission.