

Q1. What is an FIR??

Ans. FIR or First Information Report is an information given to a police which sets criminal law in motion. After an FIR is filed the investigating agency takes steps towards investigating the crime.

Q2. Is FIR mentioned in any act?

Ans. Yes FIR is mentioned under Sec 154 CrPC.

Q3. Can FIR be filed in every wrong recognised by law?

Ans. No, FIR can only be filed in cognizable offences. Cognizable offences are those offences are more serious in nature & police can arrest a person without warrant. Generally if an offence is punishable for more than 3 yrs it will be termed as Cognizable Offence.

Q4. Can anyone file an FIR?

Ans. If any person has information of a Cognizable Offence that person can file an FIR in the police station.

Q5. How is FIR recorded by the police?

Ans. When any information regarding a cognizable offence is given to police the police will reduce it to writing by him or under his direction and be read over to the informant. After police has reduced the oral information given by informant in writing then the same shall be signed by the informant giving the information of the offence.

After FIR is registered by police the informant will get one free of cost copy for the informant records which cannot be denied.

Q5. Is it compulsory for police to register a FIR?

Ans. Yes, the police are duty bound to register an FIR if the information given is cognizable in nature.

Q6. What if Police refuses to register my FIR?

Ans. The police are duty bound to register if the police refuses to do so then the person then the person can write an application to Superintendent of Police by application in writing. Sec 154(3) states it. Even if that does not work out well then the person can file an application to Magistrate under Sec 156(3) of CrPC.

Sample Letter – Complain to Superintendent (if there is refusal to register FIR)

Post it by Registered AD

To,

Superintendent of Police

City Name

Sub: Complain regarding refusal by police to register an FIR in cognizable Offence

I, Shri/Shrimati..... S/o, W/o..... aged.....years, a permanent resident of and at present residing at House No..... Ward..... Village/ Municipality with number in the voter's list (if any) hereby make a complaint which occurred on.....(date) as follows:— (*Mention the event*) & also attach the cognizable information you wanted police to register as *FIR*.

I, therefore pray you to kindly enquire into the above complaint and take further action as deemed proper.

Yours faithfully,

Complainant