The first information report (FIR) is the document that sets the entire process of law in motion. Given its importance, here is some easy-on-the-eyes information that should serve as a guide.

**Q. What is an FIR?**

An FIR stands for first information report and is the foundation of any case. It is the first report of a ***cognizable offence*** and causes a police officer to begin an investigation.

**Q. Are all complaints registered by the police as FIRs?**

NO. Only a report about the occurrence of a ***cognizable offence*** qualifies as an FIR. ***Cognizable offences*** are crimes of a serious nature where the police officer investigating the case may arrest *without* warrant. It is important to know the difference between a cognizable and non-cognizable offence.

**Q. So what all is necessary for an FIR to be registered?**

There are four conditions that ***must*** be satisfied for a police officer to register an FIR:

- A ***cognizable offence*** must have been committed. For a list of offences that are recognized as cognizable offences, click here.

- The FIR must be given to a police officer who is *in charge of a police station*.

- It must be put into writing and a copy of the FIR must be provided to the complainant, ***free of cost***.

- It must be signed by the complainant and the substance of the information should also be entered into the Daily Diary or the Roznamcha.

**Q. So, if the offence is non-cognizable, an FIR is not registered?**

No. FIRs are registered only for a cognizable offence. The police officer is required to enter the substance of the complaint into the Daily Diary in case of a non-cognizable offence.

**Q. What is a cognizable offence? How many ‘types’ of offences are there?**

Please refer to the section on cognizable and non-cognizable offences.

**Q. What information *might* the FIR contain?**

The FIR should contain the following:

- A detailed description of the cognizable offence that has been committed.

- Whether the complainant is an eyewitness or the aggrieved.

- Date, time and place of occurrence of said offence

- A clear and lucid account of the offence committed

In case of robbery, a detailed list of articles that have been stolen must also be recorded.

In case some articles have been kept by the police, a record of the same must be kept in the Daily Diary.

**Q. Can an FIR be lodged only by aggrieved persons?**

No. An FIR can be lodged by any person who is *aware* of an offence having been committed. Though it can also be lodged on someone’s behalf, the case is made stronger if the the person registering the complaint is an eyewitness.

**Q. Who records the FIR if the officer in-charge of the police station is unavailable?**

In case the police station officer in-charge (station house officer (SHO)) is unavailable, an FIR can be registered by an officer of lower or higher rank. However, ensure that the FIR is registered by an officer who is above the rank of constable.

**Q. The SHO or other official refuses to record an FIR claiming that the case occurred “outside the jurisdiction of the police station”. What do I do?**

The police officer has no right to refuse recording an FIR irrespective of whether the case occurred in his jurisdiction or not. If the case does not occur in that police station’s jurisdiction, the police officer would be required to register the complaint in the Daily Diary and forward it to the correct police department.

**Q. The police officer refused to write my complaint. What do I do?**

Remind him that refusal to register a complaint is an offence under the law. It is punishable departmentally and also by imprisonment of up to 2 years with a fine or both.

If, for some reason, your complaint is still not registered, you can send a written copy of your complaint to the Superintendent of Police (SP) by post. If the SP is convinced that the offence contained in the complaint is a cognizable offence, he/she can either investigate the case personally or direct a subordinate officer to investigate the case. If a subordinate officer is deputed to investigate the case, this officer will have powers of an officer in-charge of the police station under whose jurisdiction that offence was committed.

**Q. On what grounds can I refuse to sign the FIR?**

If the information recorded by the police officer is factually incorrect or wrong, one can refuse to sign an FIR. In all other cases, the complainant ***must*** sign the FIR. Refusal to do so can result in fine or imprisonment or both.

**Q. What if a false FIR has been registered?**

To register a false FIR is a ***very serious*** matter under the law and is punishable. It can result in the implication of innocent persons and waste the time of the law enforcement agencies which could otherwise have been spent on real cases.

If an FIR has been established to be false, a case may be registered against the informant. It is a non-cognizable offence to register a false FIR and is punishable under Section 182 of the Indian Penal Code (IPC) with a fine, imprisonment of up to 2 years or both.

**Q. What is the procedure followed in case of a non-cognizable offence?**

In case of a non-cognizable offence, an FIR is *not registered*. An entry is made in the Daily Diary or the Roznamcha of the police station. The complainant is also not expected to sign the copy of the FIR.

--Ends