In the event that a crime is committed, it becomes our duty as responsible citizens to report it and ensure that the police has information to act on it. For the police and other law enforcement agencies to initiate an investigation on the basis of a complaint, a first information report (FIR) needs to be registered.

In an ideal world, the police would register a complaint and set out to investigate. We do not live in an ideal world and instead have to deal with cops who are equipped with a number of reasons to avoid registering a complaint.

Here is what you need to know about your rights to ensure that your complaint is registered and the due process of law set in motion.

What to do when you want to report a crime:

**1. Get talking to the police.**

a. Go to the nearest police station to register a complaint.

Often, police officers will hide behind jurisdiction and refuse to write a complaint. There have been many cases where police officers have given citizens a good run citing “the case does not fall under our jurisdiction”.

As it turns out, a police officer ***cannot*** turn you away just because the crime being reported was committed in a different part of town. A police officer must write down the complaint, at least in the Daily Diary or the Roznamcha and then forward it to the concerned police station.

So the next time you are given a run around on jurisdiction, hold your ground and insist that the police officer concerned write down your complaint. It is YOUR right!

b. Dial 100

This is, in our opinion, the best way to get the police to act on a complaint. Tell the police control room of the details of the incident in a clear and lucid manner. The control room will identify the police station under whose jurisdiction the case falls and direct that police station to follow up on the complaint.

Whether your narration of the incident over the phone can form the basis of an FIR is a gray area of the law. It is best to give details afresh to the police officer who visits you in person.

**2. Get the complaint registered.**

Once the police has agreed to write down your complaint, ensure the following:

a. That the person writing down your complaint is of a rank above that of constable. Ideally, it should be written down by the police officer in charge of the local police station, but it can also be written by officers of a higher rank.

b. Narrate all events as they happened in a clear and lucid form. Ensure that the information provided is accurate down to the last detail. Information that is vague and inadequate to start an investigation may cause the officer-in-charge to refuse to register the complaint.

c. It is not necessary to register a complaint at the police station. The officer is expected to register the complaint on the first instance of coming across the informant.

d. Also ensure that a record of the complaint is made in the Daily Diary or Roznamcha maintained by the police station. This document would also have a record of the complaint and all information and articles collected by the police.

e. Depending on whether the complaint reports a cognizable or non-cognizable offence, you may have to sign a copy of the complaint and receive in exchange a copy of the same.

**NOTE:** Until now, we have avoided the use of the word first information report (FIR) and used complaint. This is because only cognizable offences require an FIR to be registered. Refer here for more detailed information on FIRs. (insert hyperlink)

It is also very important to learn to distinguish between cognizable and non-cognizable offences to ensure you can enforce your rights.

**3. When a police officer refuses to write a complaint**

There really is no reason for a police officer to refuse to register a complaint. Refusal to register a complaint is punishable under the law. It is punishable departmentally and also legally with a fine, or imprisonment of up to two years, or both.

Here is what you can do in case a police officer refuses to register a complaint:

- In case a complaint is a cognizable offence, you can write directly to the Superintendent of Police and send the complaint to the above mentioned official by post.

- You can lodge a complaint with a magistrate in the court directly. Such a complaint is treated as the first information report and the magistrate may either direct a police officer to look into the case or look into it personally.

--Ends