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# IMPORTANCE OF FIRST INFORMATION REPORT (FIR) IN INDIAN CRIMINAL JUSTICE SYSTEM

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## ABSTRACT

An FIR or First Information Report is a vital component of the Indian criminal justice system. It initiates the criminal investigation process. “The Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, enacted has introduced major reforms to modernise the criminal procedure and enhance access to justice. The present study examines the concept, legal framework, evidentiary value and practical significance of the FIR under the BNSS, 2023. The research highlights the role of FIR as the earliest information relating to commission of cognizable offence which enables the law enforcement agencies to start prompt investigation and preservation of crucial evidence. An FIR is not substantive evidence but has significant evidentiary value for corroboration, contradiction, identification of accused persons and other limited legal purposes.

The study also discusses the provisions of Section 173 of the BNSS which has replaced Section 154 of the Code of Criminal Procedure, 1973 bringing in major changes such as electronic registration of FIRs and statutory recognition of Zero FIR concept. Such reforms are designed to increase the transparency, accountability, efficiency, and accessibility of the criminal justice system. The changing legal position on registration, territorial jurisdiction and evidentiary use of FIRs has also been examined in judicial interpretations and landmark decisions.

This study is doctrinal in nature and is based on an analysis of legislation, case law, legal commentaries, journal articles and scholarly writings. The findings show that the FIR continues to be an important procedural tool that protects the rights of the victim, facilitates effective investigation and builds public confidence in law enforcement agencies. The study concludes that BNSS, 2023 has significantly improved the legal framework governing FIRs by adopting technological advancements and ensuring a more citizen-centric approach towards the administration of criminal justice.

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## 1.1 INTRODUCTION

First Information Report (FIR) has no substantive evidentiary value and cannot be taken as evidence of facts contained therein by itself. On the other hand, it may be of evidentiary value in certain circumstances, such as when it forms part of a dying declaration or is used for corroboration or contradiction of the informant's testimony. These circumstances have been recognized in a number of judicial pronouncements and have been dealt with at appropriate places in the study. In *State of Bihar v. Veer Kuer Paswan and Others*, Hon'ble Supreme Court held that even if the informant is not examined and FIR is not proved, it does not make an automatic ground for acquittal. The prosecution case must be judged on the basis of the evidence led at the trial. Accordingly, the fact that the informant was not examined does not necessarily weaken the case of the prosecution in case sufficient evidence is otherwise available.

Major Reforms in India's criminal justice system came with the enactment of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). The BNSS aims to replace the Code of Criminal Procedure, 1973, and modernize the criminal procedure to include technological advancements, and ensure greater transparency, accountability, and accessibility in the administration of criminal justice. The provisions relating to registration of information relating to cognizable offences, popularly known as First Information Report (FIR) has been retained with some modifications to facilitate electronic communication and prompt investigation.

### 1.1.1 FIRST INFORMATION REPORT

A First Information Report (FIR) is the earliest information relating to the commission of a cognizable offence that is provided to a police officer and recorded in accordance with law. It serves as the foundation for the commencement of a criminal investigation. Although the term "FIR" is not expressly defined in the BNSS, it refers to the first information received by the police regarding the commission of a cognizable offence, upon which the investigative machinery is set in motion.<sup>3</sup>

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<sup>3</sup> "Evidentiary Value of First Information Report (FIR) – Research Gate."

The FIR is an important document in criminal proceedings as it records the earliest version of the alleged offence, helps prevent embellishment of facts, and ensures that the investigative process begins promptly. Under the BNSS, provisions have also been made for the recording of information through electronic means, thereby enhancing accessibility and efficiency in the criminal justice system.

#### 1.1.1.1 SECTION 173 OF THE BNSS, 2023

The provisions relating to information in cognizable cases, hitherto contained in Section 154 of the CrPC, have now been shifted to Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Section 173 empowers police to record information of commission of cognizable offence and to start investigation without prior permission of the court. It sets out the procedure for recording such information and provides citizens with an effective way of reporting crimes.

A salient feature of Section 173 is the acknowledgement of electronic communication. Information relating to the commission of a cognizable offence may be given electronically and such information shall thereafter be signed by the informant within the period prescribed. This is a manifestation of the BNSS's focus on digitization and technological integration of criminal procedure.

#### 1.1.1.2 SUB-CLAUSES OF SECTION 173 OF THE BNSS, 2023

Section 173 contains several provisions governing the registration of information relating to cognizable offences:

1. **Recording of Information:** Every information relating to the commission of a cognizable offence, if given orally to an officer-in-charge of a police station, shall be reduced into writing by the police officer or under his direction. The written record shall be read over to the informant and signed by him or her. If the information is provided electronically, it may be recorded through electronic communication and must be duly signed by the informant within the period prescribed under the law. The information so recorded shall be entered into the prescribed register maintained at the police station.
2. **Free Copy to Informant:** A copy of the information as recorded shall be provided to the

informant free of cost. This ensures transparency and enables the informant to verify that the information has been accurately recorded.

- 3. Remedy Against Refusal to Register FIR:** If an officer-in-charge of a police station refuses to record information relating to the commission of a cognizable offence, the aggrieved person may send the substance of such information in writing or by electronic communication to the Superintendent of Police. Upon being satisfied that the information discloses a cognizable offence, the Superintendent of Police may either investigate the case personally or direct an investigation to be conducted by a subordinate police officer. Such officer shall possess all the powers of an officer-in-charge of a police station in relation to that investigation.

Thus, Section 173 of the BNSS, 2023 continues the essential framework of FIR registration while introducing modern mechanisms such as electronic reporting, thereby strengthening accessibility, efficiency, and accountability in criminal investigations.

### 1.1.2 RELATED CONCEPTS

**Cognizable and Non-Cognizable Offences:-** Cognizable offences are those offences which are more serious in nature like that of rape, murder, dowry death etc. Such offences can be arrested without a warrant and investigated without the permission of the court (since this process of asking permission can cause a delay as it might take time to get permission). An FIR can be filed also for such offences. Non-Cognisable Offences, on the other hand, are those which are not so serious in nature like assault and defamation. In such cases arrest warrant is required and investigation can be done only after the permission of the court for the same. For such cases a FIR is not required.

**Information and Complaint:-** The words 'Information' and 'Complaint' are often confused as being the same but they are not. A complaint is made before a magistrate and is examined on oath whereas information is given to a police officer and is not examined on oath. A police officer, unlike a magistrate, has discretionary powers. That means that once a complaint is made to the magistrate they have to act upon the complaint whereas a police officer based on elements like not enough serious grounds available, seriousness of the case or not enough grounds to investigate can decide to not act upon the information given to them. If a magistrate declines to act on a complaint and dismisses it, the reasons for dismissal should be in writing

but if a police officer dismisses the information given, he/she is not required to specify the reasons in writing. Finally, a complaint made to the magistrate is a prayer for prosecution in which details of the offence may or may not be given whereas information given to the police has details of the offence.

### **1.1.3 CONTENTS OF AN FIR**

The contents of an FIR can also be denoted as the 11 W's:

- a) WHAT information has come – the details of the cognizable case but be very detailed and clearly spelled out.
- b) In WHAT capacity did the informant report – is he/she a victim, a witness or the accused.
- c) WHO committed the crime – it is imperative that the details of the accused must be giving, information like the name and description must be given. (If the informant knows and knowingly hides the name of the accused then, during the enquiry, a proper explanation for the same must be given)
- d) Against WHOM has the crime been committed – name and details of the victim must be given.
- e) WHEN – when did the offence take place. This includes details like the time.
- f) WHERE - Details like the place and address of where the offence had taken place must be given.
- g) WHY – if the informant knows then the reason why the offence took place, the intention or the motive must be given.
- h) WHICH WAY – this includes details of how the crime was committed.
- i) WITNESS – here all the details of all the witnesses must be given. (Here again, if any detail about any witness is knowingly hidden or later on added then the informant will be answerable for the same)
- j) WHAT was taken away – includes the details of the list of stolen property.

- k) WHAT traces were left behind by the accused – this includes details about any clue or any hint that was left behind by said accused person.

#### **1.1.4 Object of an FIR**

The importance of time, it is of utmost importance to lodge a report to the police as soon as possible due to various factors like that of early commencement of investigation, tracking, authenticity of information, remembering small factors etc. If there is a delay in the FIR and such a delay cannot be explained or be backed with a proper reason then the FIR would lose its authenticity. This also prevents the possibilities of any manipulation or any calculated embellishments in the statement. Furthermore, an FIR is not a substantive piece of evidence, which basically means that the statement alone cannot be used as evidence; it merely is to corroborate the statement of the maker. It only helps in the proceeding of further investigations.

#### **1.1.5 EVIDENTIARY VALUE OF FIRST INFORMATION REPORT**

The Supreme Court has observed on the said subject matter, stating that “the first information report gives information of the commission of a cognizable crime. It may be made by the complainant or by any other person knowing about the commission of such offence. It is intended to set the criminal law in motion. Any information relating to the commission of a cognizable offence is required to be reduced to writing by the officer in charge of the police station which has to be signed by the person giving it and the substance thereof is required to be entered into a book kept by such officer in such form as the State Government may prescribe. It cannot be used as evidence against the person making it, if in case, he himself is accused in the matter, neither to corroborate nor contradict other witnesses. It is not the requirement of law that the minutest details be recorded in the Fir lodged immediately after the occurrence. The fact of the state of mental agony of the person making who generally is the victim himself, If not dead, or the relations or associates of the deceased victim apparent under the shock of the occurrence reported have always to be kept in mind.”<sup>4</sup>

The FIR is the first version of the incident as received by the police. The statements in the FIR must naturally get their due weight. An FIR is not a substantive piece of evidence. The Court

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<sup>4</sup> "Evidentiary Value of First Information Report (FIR) – Research Gate."  
[https://www.researchgate.net/publication/228226560\\_Evidentiary\\_Value\\_of\\_First\\_Information\\_Report\\_FIR](https://www.researchgate.net/publication/228226560_Evidentiary_Value_of_First_Information_Report_FIR).  
Accessed 3 July 2024.

has to consider other evidence for deciding whether a case should stand or fall. An FIR, being not a substantive evidence, it can be used as a previous statement for the purposes of either corroborating its makers or for contradicting him. The statement of a victim of rape in cross-examination which was not there in the FIR could not be used for contradicting her.<sup>5</sup>

FIR is not an encyclopedia. It is only to set the law in motion. It need not elaborate but should contain necessary allegations to constitute cognizable offences. As per section 154 of the Criminal Procedure Code, stating the use of FIR, "a FIR is not a substantial piece of evidence. It can only be used for corroborating or contradicting its maker. It cannot be used to corroborate or contradict other witnesses..." Further, "corroboration of its maker is permissible, but the first information report cannot be used as substantive evidence or corroborating a statement of third party..." The fact that a minute detail is not mentioned should not be taken to mean the non-existence of the fact stated. An FIR was made by close relatives of the deceased. Its reliability was not allowed to be doubted on the ground that it was highly improbable that a close relative would leave the victim in a hospital and would himself go to the police station, particularly so when other relatives had also arrived at the hospital. There was no delay in recording the FIR and sending the challan to the court. Absence of the names of the accused in the inquest report was of no value because the investigating officer and the officer conducting inquest were not questioned on that point.<sup>6</sup>

## 1.2 STATEMENT OF THE STUDY

The First Information Report (FIR) is a crucial document in the criminal justice system, serving as the initial step in the recording of a cognizable offense. The evidentiary value of an FIR is often debated in legal contexts, as it influences the investigation and trial processes significantly. Understanding its role and limitations as evidence is essential for ensuring justice and legal integrity.

## 1.3 NEED OF THE STUDY

The need for this study arises from the crucial role that FIRs play in the administration of

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<sup>5</sup> "First Information Report? What is Its Evidentiary Value? (CrPC, 1973"

<http://www.shareyouressays.com/knowledge/what-do-you-understand-by-first-information-report-what-is-its-evidentiary-value-crpc-1973-india/112880>. Accessed 3 July 2024.

<sup>6</sup> "evidentiary value of the first information report - Galgotias University." 22 Nov. 1974,

<http://law.galgotiasuniversity.edu.in/pdf/3-Evidentiary-Value-First-Information-Report-Introspection-Dr-Raj-Kumar-27218.pdf>. Accessed 3 July 2024.

criminal justice. Despite the existence of statutory provisions mandating the registration of FIRs, issues such as delay in registration, refusal by police authorities, incomplete recording of facts, and misuse of the FIR process continue to affect the effectiveness of criminal investigations. These challenges often result in delays in justice and may undermine public confidence in law enforcement agencies.

#### 1.4 OBJECTIVES OF THE STUDY

1. To examine the concept, nature, and legal framework of the First Information Report (FIR) under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).
2. To analyze the significance of FIR in the administration of criminal justice in India.
3. To study the evidentiary value and legal implications of FIR in criminal proceedings.
4. To examine the rights and duties of police officers and informants in relation to the registration of FIRs.
5. To evaluate the role of FIR in ensuring transparency, accountability, and effective investigation of criminal offences.

#### 1.5 REVIEW RELATED LITERATURE

**Dr. V.R. Krishna Iyer** (*The Social Dimension of Law and Justice*) a former judge of the Supreme Court of India has written extensively on the intersection of law and justice in India. His works discuss the procedural aspects of criminal law, including FIRs. He emphasizes the importance of FIRs as a critical piece of evidence, but he also cautions against over-reliance on them due to the potential for manipulation by law enforcement. His writings advocate for a balanced approach where FIRs are seen as a starting point in investigations but not as conclusive evidence of guilt.

**Ratanlal & Dhirajlal's** (*The Code of Criminal Procedure*) books are standard references for legal professionals in India. These texts offer detailed analyses of the legal provisions surrounding FIRs under the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC). The authors describe FIRs as crucial for setting the criminal justice process in motion, yet they are also clear that FIRs are not substantive evidence but rather serve as the basis for

investigation. Their work is frequently cited in judgments related to the evidentiary value of FIRs.

**Prof. N.V. Paranjape's** (*Law of Evidence*) works provide in-depth discussions on the procedural aspects of criminal law, including the filing of FIRs. He discusses FIRs as an essential procedural tool for initiating criminal proceedings, while also elaborating on their evidentiary value. His analysis highlights that FIRs can be used to corroborate evidence but cannot be the sole basis for conviction, emphasizing their role in the larger framework of evidence law in India.

**Justice M. Rama Jois** (*Criminal Law in India*), a former judge and legal scholar, addresses the evidentiary aspects of FIRs in his writings. He discusses the historical development of FIRs within the Indian legal framework, noting their evolution from a procedural requirement to an evidentiary tool. He cautions against the misuse of FIRs by authorities and emphasizes the need for judicial scrutiny to ensure fairness in criminal proceedings.

**K.N. Chandrasekharan Pillai's** (*Essays on the Indian Penal Code*) contributions focus on criminal procedure and the law of evidence. His works analyze the role of FIRs in the criminal justice system, discussing their limited evidentiary value. He explains that while FIRs are essential for the investigative process, they must be supplemented by other evidence for a conviction. His analysis often points out the importance of ensuring that FIRs are recorded promptly and without bias to uphold their integrity.

**Justice R.S. Sarkaria** (*Law Commission Reports on Criminal Justice Reforms*) has contributed to several Law Commission reports on criminal justice reforms in India, including discussions on the FIR system. His work emphasizes reforms to improve the transparency and reliability of FIRs. Sarkaria advocates for ensuring that FIRs are not treated as the final word in evidence, arguing for a more nuanced approach where FIRs are corroborated with other evidence before making any determinations about guilt.

**Dr. Kailash Rai** (*Criminal Law in India*) is known for his extensive work on evidence law in India. His discussions on FIRs delve into their evidentiary significance, particularly under the Indian Evidence Act. Dr. Rai explains that while FIRs are admissible under Section 154 of the Code of Criminal Procedure (CrPC), they are treated as non-substantive evidence. His analysis highlights that FIRs primarily serve as information and are used to corroborate other

substantive evidence collected during the investigation.

## **1.6 EVIDENTIARY VALUE OF FIRST INFORMATION REPORT (FIR) UNDER BNSS, 2023**

The First Information Report (FIR) is a vital and significant document in the criminal justice system as it contains the earliest version of the occurrence reported to the police. However, an FIR is not regarded as a substantive piece of evidence because it is neither recorded on oath nor subjected to cross-examination. Nevertheless, when the informant appears as a witness before the court, the FIR can be used for corroborating or contradicting his testimony in accordance with the relevant provisions of the Bharatiya Sakshya Adhiniyam, 2023 (BSA). It cannot ordinarily be treated as evidence of the truth of its contents.

- An FIR may be used for corroborating the testimony of the informant under the provisions relating to former statements of witnesses under the Bharatiya Sakshya Adhiniyam, 2023. However, it cannot be used for corroborating the statements of other prosecution witnesses or the prosecution case generally.
- An FIR may also be used for contradicting the informant. For this purpose, the witness's attention must first be drawn to the specific portions of the FIR containing the alleged contradiction. The witness must then be given an opportunity to explain the inconsistency before the contradiction can be relied upon by the defence.
- When the FIR is lodged by the accused himself, it may be admissible according to the ordinary rules of evidence unless it amounts to a confession made to a police officer. In such a situation, the provisions of the Bharatiya Sakshya Adhiniyam, 2023 relating to confessions become applicable. The legal position was authoritatively explained by the Supreme Court in *Aghnoo Nagesia v. State of Bihar*, AIR 1966 SC 119:
  1. Such an FIR is not entirely inadmissible in evidence.
  2. If the information contained therein is non-confessional in nature, it may be admissible as an admission.
  3. If the information is confessional in character, it becomes inadmissible except to the extent permitted by the provision relating to the discovery of facts.

4. The Supreme Court clarified that the FIR must ordinarily be considered as a whole and not in isolated parts. However, where the non-confessional portion is distinct and separable from the confessional part, the former may remain relevant and admissible as an admission.

An FIR lodged by an accused person cannot ordinarily be used as evidence against a co-accused.

- The FIR may be used by the informant to refresh his memory while giving evidence before the court under the relevant provisions of the Bharatiya Sakshya Adhinyam, 2023.
- The FIR may also be used for impeaching the credit of the informant where permissible under the law.
- It may be relied upon to prove the conduct of the informant when such conduct is relevant to the facts in issue.
- The FIR may be used to identify the accused, witnesses, place of occurrence, and time of occurrence whenever such facts become relevant in the proceedings.
- In appropriate circumstances, the FIR may also become relevant under other provisions dealing with the relevancy of facts and surrounding circumstances.

Ordinarily, an FIR cannot be treated as primary evidence of the truth of its contents because it cannot substitute evidence given on oath before the court. Consequently, a conviction cannot be based solely upon the contents of an FIR. However, in certain exceptional situations, the FIR may acquire substantive evidentiary value, such as:

1. When it constitutes a dying declaration under the relevant provisions of the Bharatiya Sakshya Adhinyam, 2023.
2. When it forms part of the same transaction and becomes admissible under the doctrine of *res gestae*.
3. When it falls within any other statutory exception recognized under the Bharatiya Sakshya Adhinyam, 2023.

Thus, it may be concluded that an FIR is generally not a substantive piece of evidence, though it possesses considerable evidentiary significance for corroboration, contradiction, identification, and other limited purposes. It is also treated as a public document, and certified copies may be obtained in accordance with the provisions governing public documents and certified copies under the Bharatiya Sakshya Adhiniyam, 2023. Under the Bharatiya Nagarik Suraksha Sanhita, 2023, the registration, maintenance, and supply of FIRs have been modernized, including provisions for electronic registration and accessibility, thereby strengthening transparency and accountability in criminal investigations.

## **1.7 JURISDICTION, OFFENCES RELATING TO FIR**

### **1.7.1 Registration of FIR and Territorial Jurisdiction under BNSS, 2023**

Under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), every police officer is legally obligated to register information relating to the commission of a cognizable offence, irrespective of the place where the offence occurred. If an informant approaches a police station with information disclosing a cognizable offence, the officer-in-charge cannot refuse registration on the ground that the offence was committed outside the territorial jurisdiction of that police station. Such information must be recorded and subsequently transferred to the police station having appropriate jurisdiction for investigation. This concept is popularly known as the "Zero FIR" mechanism and has been given statutory recognition under BNSS, 2023.

Members of the public are frequently advised by law enforcement authorities to report offences at the nearest police station. However, in practice, complainants are sometimes directed to approach another police station on the ground of territorial jurisdiction. Such refusal defeats the objective of prompt criminal justice administration and causes unnecessary hardship to victims. The BNSS seeks to eliminate this difficulty by ensuring that information regarding cognizable offences is recorded immediately, regardless of jurisdictional limitations.

The Supreme Court of India has consistently held that refusal to register information relating to a cognizable offence amounts to dereliction of duty. The officer-in-charge of a police station cannot avoid his statutory responsibility by citing lack of territorial jurisdiction. The primary duty of the police officer is to record the information and ensure that it reaches the competent police station for further investigation.

### **1.7.2 Registration of Information Relating to Cognizable Offences**

Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023, corresponding to Section 154 of the erstwhile CrPC, provides that every information relating to the commission of a cognizable offence, if given orally to an officer-in-charge of a police station, shall be reduced into writing and read over to the informant. The information must be signed by the informant and entered in the prescribed record maintained by the police station.

The BNSS further modernizes the procedure by permitting information relating to cognizable offences to be provided through electronic communication. Where information is given electronically, it must be signed by the informant within the prescribed period. A copy of the First Information Report (FIR) shall be supplied free of cost to the informant without delay.

If an officer-in-charge refuses to record such information, the aggrieved person may send the substance of the information to the Superintendent of Police. Upon being satisfied that the information discloses the commission of a cognizable offence, the Superintendent of Police may either investigate the case personally or direct an investigation to be conducted by a subordinate police officer, who shall exercise all powers of an officer-in-charge of a police station in relation to that offence.

### **1.7.3 Information Relating to Non-Cognizable Offences**

Section 174 of the BNSS, corresponding to Section 155 CrPC, governs non-cognizable offences. When information regarding a non-cognizable offence is received, the officer-in-charge of the police station shall enter the substance of the information in the prescribed register and refer the informant to the competent Magistrate.

No police officer may investigate a non-cognizable offence without the order of a Magistrate having jurisdiction to try the case or commit it for trial. Upon receiving such authorization, the investigating officer may exercise all powers relating to investigation except the power to arrest without warrant.

Where a case involves two or more offences and at least one of them is cognizable, the entire case shall be treated as a cognizable case, notwithstanding that the remaining offences are non-cognizable.

#### **1.7.4 Territorial Jurisdiction and Registration of FIR**

A careful reading of Sections 173 and 174 of the BNSS reveals that territorial jurisdiction is not a prerequisite for registration of information relating to a cognizable offence. Section 173 nowhere stipulates that the offence must have occurred within the territorial limits of the police station where the information is reported. In contrast, provisions relating to non-cognizable offences specifically contemplate territorial limitations.

Consequently, when information relating to a cognizable offence is received, the officer-in-charge of a police station cannot refuse registration merely because the offence occurred outside the territorial limits of that station. The correct procedure is to register the FIR, assign it a Zero FIR number where necessary, and thereafter transfer the case to the police station having territorial jurisdiction for investigation.

#### **1.7.5 Judicial Recognition of the Principle**

In *State of Andhra Pradesh v. Punati Ramulu and Others*, the Supreme Court emphasized that a police officer cannot refuse to record information relating to a cognizable offence merely because the offence occurred outside the territorial jurisdiction of the police station. The Court held that the proper course is to record the information and forward it to the police station having jurisdiction. Failure to do so constitutes dereliction of duty and may adversely affect the fairness and credibility of the investigation.

Similarly, in *Satvinder Kaur v. State (Govt. of NCT of Delhi)*, the Supreme Court held that questions relating to territorial jurisdiction do not ordinarily arise at the stage of investigation. The police officer has statutory authority to investigate a cognizable offence upon registration of the FIR. If, after investigation, it is found that the cause of action arose outside the territorial jurisdiction of the investigating police station, the matter may be forwarded to the competent court or police station having jurisdiction.

### **1.8 RESEARCH METHODOLOGY**

The present study is based on the doctrinal method of legal research. Doctrinal research primarily involves the analysis and interpretation of legal principles, statutory provisions, judicial decisions, and scholarly writings relating to the subject under study. The research seeks to examine the legal framework governing First Information Reports and their significance

within the Indian criminal justice system.

The study relies exclusively on secondary sources of data, including the Bharatiya Nagarik Suraksha Sanhita, 2023, relevant provisions of the Indian Evidence Act and Bharatiya Sakshya Adhiniyam, judicial pronouncements of the Supreme Court and various High Courts, legal commentaries, books, research articles, journals, government reports, law commission reports, and online legal databases.

## **1.9 RESEARCH QUESTIONS**

1. What is the legal meaning and purpose of a First Information Report in the Indian Criminal Justice System?
2. How does an FIR contribute to the investigation and prosecution of criminal offences?
3. What is the evidentiary value of an FIR during criminal trials?
4. What safeguards are available to citizens when police officers refuse to register an FIR?
5. How have courts interpreted the role and importance of FIR in criminal proceedings?

## **1.10 HYPOTHESIS**

The First Information Report (FIR) plays a crucial role in the Indian criminal justice system by initiating criminal investigations, preserving the earliest version of facts, and ensuring effective administration of justice.

### **Null Hypothesis**

The First Information Report does not significantly influence the effectiveness of criminal investigation and administration of justice in India.

## **1.11 LIMITATIONS**

The researcher is unable to trace the primary sources needed to write about the topic as the topic demands research in the archives which is not available to the research as admission to the government archives is not allowed.

## **1.12 CONCLUSION & SUGGESTIONS**

The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) is a major step forward in the evolution of India's criminal justice system and strengthening the rights of victims and informers. One of the important reforms introduced under the BNSS is the emphasis on prompt registration of information relating to cognizable offences irrespective of territorial jurisdiction. The BNSS aims to make the criminal justice process more accessible, transparent and efficient by giving statutory recognition to the concept of Zero FIR and enabling electronic modes of reporting offences.

It is well settled law that a police officer cannot refuse to register information relating to cognizable offence merely on the ground that the alleged offence took place outside the territorial limits of the police station. Such refusal defeats the very purpose of effective law enforcement and is a neglect of statutory duty. The police officer shall record the information immediately and send it to the competent Police Station for further investigation. This approach safeguards the rights of victims, avoids delays in criminal proceedings and the loss of valuable evidence owing to procedural hurdles.

This principle has been reiterated time and again by the judicial pronouncements which have stressed that the questions relating to territorial jurisdiction should not come in the way of registration or investigation of cognizable offences. The courts have recognised that the main purpose of criminal law is to discover the truth and administer justice and this can only be done if information concerning criminal activity is promptly recorded and investigated.

The BNSS clearly distinguishes between cognizable and non-cognizable offences. In case of non cognizable offences, investigation can be initiated only with the permission of a Magistrate. For cognizable offences, there is no such restriction. This disparity shows the seriousness with which cognizable crimes are treated and the necessity for immediate police intervention.

In conclusion, provisions of BNSS, 2023 relating to FIR registration and territorial jurisdiction strengthen the legal framework for criminal investigations in India. The law seeks to make the criminal justice system more citizen-friendly and responsive by mandatorily registering cognizable offences, recognizing Zero FIR and allowing reporting electronically. The effective implementation of these provisions and the compliance of law enforcement agencies therewith

would greatly facilitate the timely delivery of justice, safeguarding of victims' rights and strengthening of public confidence in the criminal justice administration.

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