

**IN THE COURT OF CHIEF JUDICIAL MAGISTRATE, BETTIAH**  
**WEST CHAMPARAN.**

**Majhauriya P.S. Case No. 62/2025**  
**GR No. 437/2025**

**04.06.2026**

The case is put up today. Heard Ld. defence counsel and ld DPO in lenth, after registration of FIR under section 126(2), 127(2), 115(2), 352, 324(4), 3(5) of BNS by FIR no. 5127007250062, I.O. file chargesheet No. 417/2025 u/s 352 of BNS under heading noncognizable. Under section 352 as per explanation of section 2(h) of BNS, a report made by the police officer, after investigation in a case which discloses the commission of a non-cognizable offence shall be deemed to be a complaint and the police officer by whom such report is made shall be deemed to be the complainant but in this particular case police officer file the charg-sheet and as per section 174 of BNSS mandate that when case is a non-cognizable in nature without the order of Magistrate, I.O not investigate the matter. The term “shall” use in section 174 of BNSS, therefore, it is abundant clear that in that particular case, police does not follow the mandatory provision of section 174 of BNSS and section 2(h) explanation of BNSS. Therefore, proceeding in this case is dropped. The case is disposed of accordingly office is directed to keep the record in the record room.

Dictated & Corrected

Chief Judicial Magistrate.  
Bettiah, West Champaran  
04.06.2026