In the Court of Chief Judicial Magistrate, Howrah

Misc. Petition No. 378 of 2024

[CNR – WBHW040045502024]

Present: Sri G. Roy, Chief Judicial Magistrate, Howrah J.O. Code: WB01022

Shilpa Jaiswal .... (Complainant)

-vs-

Anshul Jaiswal & 04 Others .... (Accuseds)

SL. No. of order	Date	Order with signature of the Magistrate	Office note as to action taken on order (if any)
1.	**22.10.2024**	One application is filed by the Petitioner **Shilpa Jaiswal** against the accused persons named in the application praying for an order **under section 175(3) of Bhartiya Nagrik Suraksa Sanhita, 2023 (BNSS)** so that the concerned Police Station treats this application as FIR. Let this application be registered as **Misc Petition.** The complainant is present and she is examined by this court. Series of documents [photocopies] have been filed. Affidavit as stipulated by law has also been filed along with modalities of **Section 173(4) and Section 30 of Bhartiya Nagrik Suraksa Sanhita, 2023** has also been complied with. After hearing from the Ld. Advocate and also going through the application filed today I find that there is an allegation against the accused persons who are allegedly involved in committing serious offence as alleged. In my opinion the matter of allegation should be enquired in preliminary form by investigating agency to ascertain whether the information reveals in this application are cognizable. This enquiry is not for the purpose of verification or otherwise of the information received. In view of the observation made by **Hon'ble Supreme Court** in **Priyanka Shivastava & Anr Vs. State of U.P & Ors and in terms of Section 175(3) of Bhartiya Nagarik Suksha Sanhita, 2023,** this court thinks it will be proper to send this application to the concerned police station for preliminary enquiry. After receiving such preliminary enquiry report, this court will be in clear position to take appropriate action as per law. **I/C, M. P. Ghora P.S. , Howrah is directed to make a preliminary enquiry over the instant allegation made in the application and report to this court regarding cognizable offfence, if any involved in the instant allegation.** **I/C, M. P. Ghora P.S. , Howrah** is directed to file his report to this court on receipt of this order. ***To – 30.11.2024 for report.*** Dictated & corrected by me. C.J.M., Howrah Chief Judicial Magistrate , Howrah	

Memo. No. 1943-A / C.J.M. **Date: 22/ 10 / 2024**

Copy of order along with the original application be forwarded to the ***I/C, M. P. Ghora P.S. , Howrah*** for information and taking necessary action.

Chief Judicial Magistrate, Howrah