

PREFACE

Administration of Justice is a vital element of the civilised society. The existence of civilised society cannot, even, be thought in absence of the Administration of Justice. Criminal activity is a wrong against the society and the criminal is an invader to the rights of the society as a whole though the victim of the crime may be an individual. It is one of the prime duties of the State to maintain law and order and to protect the rights of the citizens. Prompt lodging or making of complaint by the victim or aggrieved person at the first available opportunity is supposed to be the true version without any addition, embellishment and concoction. The chances of missing links, outer influence, afterthought and imaginary additions are remote, where the memory is fresh and information is given without any loss of time. Delay either in lodging or in recording or in sending the copies of First Information Report (FIR) to the concerned authorities generate suspicion about the truthfulness of the story given in the FIR. The significance of the delay depends upon the facts and circumstances of the each and every case. No hard and fast rule or parameters can be decided about the impact of delay. In all possibilities the prosecution must be more cautious and careful for delays and its explanations to control the harm likely to be caused at the same time Defence Counsel must be very watchful with deep penetrating sight to find out the delays, which either improperly explained or did not explained at all.

Delay is one of the lethal weapon in the arsenal of the defence, second after the contradictions or discrepancies, to demolish the castle of the prosecution. Therefore, a victim or person, whose rights have been encroached by someone, should immediately approach for the help either from his friends, relatives or well-wishers. A person who witnessed the occurrence of any offence is legally and morally supposed to inform the police at the earliest possible opportunity. The main object is to set the law in motion. It is not necessary that the informant of the FIR may be desirous to set the law in motion, but it is the mandatory duty of the Officer-in-Charge of a Police Station to record an information related to the commis-

sion of cognizable offence and to conduct the investigation without order or request of anybody.

FIR is one of the instruments to set the State's Law Enforcing Agencies like Police, in motion to register, investigate and produce the wrong doer; the criminal; before the court to adjudicate upon the allegations. Generally the whole case of the prosecution revolves around the facts mentioned in the FIR which is always being the first and the foremost version of the alleged commission of crime, and, to be treated as true and un-concocted story. At the first instance the investigating officer has to rely and follow the line set forth by the story given in the text of FIR. But it is very unsafe and unreasonable to follow the version given in FIR blindly, it may be false, bias and planned to harm ones adversary or to avail some ulterior motive. Therefore investigating officer should always be vigilant and receptive to perceive and adopt the new and true discoveries resulted during the investigation.

Since, there was no sufficient literature on the subject, therefore, an attempt has been made to bring out the latest comprehensive edition of "A HANDBOOK ON FIRST INFORMATION REPORT" incorporating the Chapters on different aspects of FIR, SRO 47, dt. 19.2.2003 along with INTEGRATED INVESTIGATION FORMS.

Kanav Gupta,

Advocate