

First Information Report (FIR)
(A Guide for Citizens)

I. What is an FIR?

First Information Report (FIR) is a written document prepared by the police when they receive information about the commission of a cognizable offence. It is a report of information that reaches the police first in point of time and that is why it is called the First Information Report.

It is generally a complaint lodged with the police by the victim of a cognizable offence or by someone on his/her behalf. Anyone can report the commission of a cognizable offence either orally or in writing to the police. Even a telephonic message can be treated as an FIR.

It is a duty of police to register FIR without any delay or excuses. Non-registration of FIR is an offence and can be a ground for disciplinary action against the concerned police officer.

Cognizable Offence:

A cognizable offence is one in which the police may arrest a person without warrant. They are authorized to start investigation into a cognizable case on their own and do not require any orders from the court to do so.

Non-cognizable Offence:

A non-cognizable offence is an offence in which a police officer has no authority to arrest without warrant. The police cannot investigate such an offence without the court's permission.

II. Why is FIR important?

An FIR is a very important document as it sets the process of criminal justice in motion. It is only after the FIR is registered in the police station that the police start investigation of the case.

According to Articles 21, 22, 23, 25, 49, 50 of Qanoon-e-Shahadat Order 1984, FIR is a relevant fact.

III. Who can lodge an FIR?

Anyone who knows about the commission of a cognizable offence can file an FIR. It is not necessary that only the victim of the crime should file an FIR. A police officer that comes to know about a cognizable offence can file an FIR himself/herself. You can file an FIR if:

- 1 You are the person against whom the offence has been committed.
- 2 You know yourself about an offence, which has been committed.
- 3 You have seen the offence being committed.

The police may not investigate a complaint even if you file an FIR, when:

1. The case is not serious in nature;
2. The police feel that there is not enough ground to investigate;
3. The police resources are already over-committed in investigating more serious offences.

However, the police must record the reasons for not conducting an investigation and in the latter case must inform you (Section 157 of the Code of Criminal Procedure, 1898).

IV. What is the procedure of filing an FIR?

The procedure of filing an FIR is prescribed in Section 154 of the Code of Criminal Procedure, 1898. It is as follows:

- 1 When information about the commission of a cognizable offence is given orally, the police must write it down.
- 2 It is your right as a person giving information or making a complaint to demand that the information recorded by the police is read over to you.
- 3 Once the police have recorded the information in the FIR Register, the person giving the information must sign it.
- 4 You should sign the report only after verifying that the information recorded by the police is as per the details given by you.
- 5 People who cannot read or write must put their left thumb impression on the document after being satisfied that it is a correct record.
- 6 Always ask for a copy of the FIR, if the police do not give it to you.
- 7 It is your right to get a copy of FIR free of cost.

V. What should you mention in the FIR?

- 1 Your name and address;
- 2 Date, Time and Location of the incident you are reporting;
- 3 The true facts of the incident as they occurred, including the use of weapons, if any;
- 4 Names and description of the persons involved in the incident;
- 5 Names and addresses of witnesses, if any.

(Format used by the police for the registration of FIR is attached).

VI. Things you should NOT do:

- 1 Never file a false complaint or give wrong information to the police. You can be prosecuted under law for giving wrong information or for misleading the police (Section 182 of the Pakistan Penal Code, 1860).
- 2 Never exaggerate or distort facts.
- 3 Never make vague or unclear statements.
- 4 One who refuses to sign his statement of FIR can be prosecuted under section 180 of Pakistan Penal Code, 1860.
- 5 One who lodges a false charge of offence made with intent to injure a person can be prosecuted under section 211 of Pakistan Penal Code, 1860.

VII. What can you do if your FIR is not registered?

- 1 You can meet the District Police Officer (DPO) or Capital City Police Officer (CCPO) or other higher officers like Deputy Inspector General (DIG) of police and Provincial Police Officer (PPO) and bring your complaint to their notice.
- 2 You can send your complaint in writing and by post to the DPO, CCPO, DIG or PPO concerned. If the DPO, CCPO, DIG or PPO is satisfied with your complaint, he shall order the registration of FIR.
- 3 You can file a complaint to the District Public Safety and Police Complaints Authority in your district.
- 4 You can file a private complaint before the court having jurisdiction.

VIII. Disputes as to Jurisdiction of Police Station

As soon as the police receive the first information about the commission of an offence, it is its responsibility to immediately act and investigate the case. In some cases, however, there may emerge a dispute between two the police stations about their territorial jurisdiction about the spot where the reported offence occurred. In such a situation, the police are required to follow the following procedure:

1. If there is any confusion about the jurisdiction of the police station and if each one of the SHOs contends that the territory under dispute does not fall in his area of jurisdiction, it is the responsibility of each SHO to stay on the spot and keep on investigating into the case. The case record in such a case shall remain with the SHO who reaches the spot earlier until the question of jurisdiction has been decided (25-5 of the Police Rules, 1934).
2. When one of the two police officers is relieved after the determination of area of jurisdiction by senior police officers, the relieved officer shall record a report of all that he has done in a case diary and sign it, giving the date and hour of his relief. Such case diary shall be handed over to the other police officer, who shall certify thereon that he acknowledges the case to have occurred within his station limits or to be one which he is empowered to investigate, as the case may be (25-6 of the Police Rules, 1934).
3. When a case is transferred from one police station to another, after determination of area of jurisdiction, the offence registered in the original police station shall be cancelled by the Superintendent of Police and an FIR shall be submitted in the police station in the jurisdiction of which the case occurred (25-7 of the Police Rules, 1934).

CPDI-Pakistan

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