

FIRST INFORMATION

FIRST INFORMATION OF A COGNIZABLE CRIME REPORT UNDER SECTION 154 CRIMINAL PROCEDURE CODE AT POLICE STATION - CITY

Sub-Division: Imphal

Districts: - Imphal West

FIR No. 17(02)2024 City-PS U/s. 500/506/509 IPC Date & hour of occurrence: In the year 2023
Time not stated

Date and hour when reported	Place of occurrence & distances & directions from Police Station	Date of dispatch from Police Station
Date: 14/02/2024 At 2:30 pm	Paona Bazar, Near Christina Hotel, Imphal About 600 mtrs. South -East	Dt. 14/02/2023

N.B. --- A first information must be authenticated by the signatures, mark of thumb impression of informant and attested by the signature of the officer recording it.

Name & residence of informant complainant	Name & residence of accused	Brief description of offence with section and of property carried off. If any	Steps taken regarding investigation explanation of delay in recording information.	Result of the case
Mrs. Sunita Devda ,29 yrs, W/o Devda Rahulkumar of 3- 481 Shahera Bhagol, Kachhiyavad, P.O. Godhra, Shahera Bhagol Police Station No. 5, near Dabgarvas, Godhra, Panchmahal District, Gujarat. presently residing at Paona Bazar, Near Christina Hotel OE attached <i>S. Guikan Thangal</i> OC, City-P.S Dt. 14/02/2024	Mr. Rahul Devda @ Rahulkumar, aged about 29 years, S/o Mukesh Devda, a resident of 3-481 Shahera Bhagol, Kachhiyavad, P.O. Godhra, Shahera Bhagol Police Station No. 5, near Dabgarvas, Godhra, Panchmahal District, Gujarat.	Punishment for defamation, Criminal intimidation, Insulting the modesty of woman Punishable U/S. 500/506/509 IPC	SI. N. Gavaskar Singh will please investigate the case.	

Officer-in-Charge
City Police Station
Imphal West District, Manipur

S. Guikan Thangal

Signed: (Inspt. S. Guikan Thangal)
Designation: OC, City-P.S.
Date: 14/02/2024
City Police Station
Imphal West District, Manipur

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, IMPHAL WEST-I
Filing No. 35/2023

CRIL. MISC. CASE NO. 17 OF 2024



Mrs. Sunita Devda (Maiden name, Sunita Purkayastha), aged about 29 years, W/o Devda Rahulkumar, D/o Jayanta Purkayastha, a resident of 3-481 Shahera Bhagol, Kachhiyavad, P.O. Godhra, Shahera Bhagol Police Station No. 5, near Dabgarvas, Godhra, Panchmahal District, Gujarat. Pin – 389001, presently residing at Paona Bazar, Near Christina Hotel, P.O. Imphal and P.S. City, Imphal West District, Manipur-795001.

---Complainant.

-Versus-

Mr. Rahul Devda @ Rahulkumar, aged about 29 years, S/o Mukesh Devda, a resident of 3-481 Shahera Bhagol, Kachhiyavad, P.O. Godhra, Shahera Bhagol Police Station No. 5, near Dabgarvas, Godhra, Panchmahal District, Gujarat. Pin – 389001

---Accused person.

EXTRACT COPY OF ORDER

Dated 13-02-2024

1. This is a complainant petition under Section 190 of Criminal Procedure Code read with Section 156(3) of the same code filed by the complainant praying for taking cognizance of offences committed by the above named accused person and order an investigation to the competent authority.

Register it as Cril. Misc. Case.

2. Heard the submission of Ld. Counsel for complainant and perused the complaint petition and documents.
3. The Ld. Counsel for complainant submits that the complainant has already filed a complainant case U/s 12 of the Protection of Women from Domestic Violence Act, 2005 being Criminal (DV) case No. 5 of 2023 which is pending before this Court.

During the pendency of the above referred Criminal (DV) case No. 5 of 2023, it has come to the knowledge of the complainant that her husband/Accused person is having an illicit affair with one woman namely Ms. Shivani Rathod, a resident of Indore, Madhya Pradesh to whom the accused person had introduced himself as unmarried. Ms. Shivani Rathod had got in touch with the complainant from her mobile phone no +91 626 145 7017 and had asked about the relationship between the husband /accused person and the complainant. The complainant had replied that they were legally married spouses. However, Ms. Shivani Rathod informed that the accused person said otherwise. The complainant was shocked to learn that the accused person had told Ms. Shivani Rathod that the complainant was his cousin sister and not his wife.

4. Ld. counsel for complainant further submitted that the accused person had edited himself out of the one picture taken with complainant and had morphed some unknown person alongside the complainant and claimed that it was a picture of his cousin sister and her husband, The morphed pictures were sent to Ms. Shivani Rathod by the accused person, The same was forwarded to the complainant from her whatsapp No, +91 626 145 7017 (same as the mobile phone number) which the complainant had taken a screenshot of the pictures. After learning that her husband/accused person had done, the complainant confronted him telephonically wherein, he did not deny of having committed the above act. Instead he had stated that "Aisa hi Kardiya" without even a pinch of remorse. The husband /Accused person would regularly call the complainant from his mobile phone Nos. +919601843999 and +917990125858 and abuse and threatened the complainant using foulest of language. The accused person had even challenged the complainant that no authority of Imphal, Manipur could take any action against him.
5. It is also further submitted that on 14-12-2023 the complainant has filed a written complaint to the Officer-in-Charge, Imphal City Police Station which was received on 15-12-2023. However, no action was taken. The complainant further filed a written complaint on 22-01-2024 to the Superintendent of Police, Imphal West U/s 154 (3) Cr.P.C for taking necessary action against the accused person. The same was received by the Office Superintendent of Police, Imphal West on 22-01-2024. However, it has



been more than 15 days and no action has been taken till the time of filing this present application.



6. It is further submitted that the Accused person have committed the offences punishable under Section 499, 503 and 509 Indian Penal Code and any other chargeable sections of Indian Penal Code for which prompt action is required to be taken up for punishing the Accused Person.
7. Upon perusal of the records, it is seen that the present complaint petition is supported by an affidavit and list of documents i.e., Photostat copy of complaint petition now pending before this court, photographs, Written complaint dated 14-12-2023 submitted to the Officer-in-Charge, City P.S. and Written complaint submitted to the Superintendent of Police. Imphal West dated 22-01-2024 are also filed.
8. In the facts and circumstances, I am of opinion that there are material ground for directing the Officer-in-Charge of the concerned PS to investigate into the present case in the interest of justice.
9. Hence, the prayer of the complainant to direct the Officer-in-Charge, City P.S. for investigation into the present complaint is hereby allowed.
10. Accordingly, the Officer-in-Charge City P.S. is directed to conduct an investigation in respect of the present complaint U/S. 156(3) Cr. P.C.
11. Send a copy of this order to the Officer-in-Charge, City P.S. along with original complaint and relevant records of the case for investigation.

Cril. Asst. is to take step.

With this, the present Cril. Misc. Case stands disposed of.

Announced in open court.

Sd/-
(Sarungbam Mangaleibi Devi)
Judicial Magistrate First Class,
Imphal West-I

*This report is treated as
an OE of case FIR NO. 17(2) 2024
City PS u/s 500/506/509-IPC.*

S. Guiken Thangol
OC/CITY PS
14/02/2024
Officer-in-Charge
City Police Station
Imphal West District, Manipur