

A Comprehensive Analysis of Zero FIR and Human Rights Obstacles and Possibilities in Obtaining Justice

V. ThanushiyaDevi¹, Ms. T.Vaishali², B. Harini³, R. Sharavinth⁴

^{1,3,4}Student of The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

²Assistant professor of law, department of criminal law and criminal justice administration, The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

ABSTRACT

Zero First Information Reports (FIRs) are a ground-breaking idea in Indian law enforcement that allows victims to report crimes at any police station, regardless of jurisdiction, according to the country's criminal justice system. The idea of "ZERO FIR" developed as a victim-centric reform to overcome these issues and guarantee prompt justice. This study highlights Zero FIR's potential to improve access to justice by examining its effects on victim support and police responsiveness. This study uses a mixed-methods approach to investigate the experiences of victims, law enforcement officers, and other interested parties, illuminating the advantages and difficulties of putting Zero FIR into practice. According to the results, Zero FIR could expedite the FIR filing procedure, shorten the duration of investigations, and increase police accountability. But there are obstacles, such as lack of awareness, inadequate infrastructure, and training issues need to be addressed to fully realize its benefits. This study contributes to the growing body of research on Zero FIR, providing insights for policymakers, law enforcement agencies, and civil society organizations to improve access to justice for victims of crime.

KEYWORDS zero FIR, criminal investigation, e FIR, victim centric, filing procedure and police accountability

INTRODUCTION

In India's criminal justice system, the First Information Report (FIR) is a fundamental document that kick-starts the legal proceedings for investigating a crime. Submitted under Section 154 of the Criminal Procedure Code (CrPC), an FIR constitutes the initial information regarding a cognizable offense that a police officer receives. Historically, an FIR had to be registered at the police station that had territorial authority over the location of the crime, which posed significant obstacles for victims, especially in urgent situations or when offenses occurred across different jurisdictions. To counter these issues and promote

¹ Student of The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

² Assistant professor of law, department of criminal law and criminal justice administration, The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

³ Student of The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

⁴ Student of The Tamilnadu Dr Ambedkar Law University. School of Excellance in Law, Chennai, India

timely justice, the "Zero FIR" concept was introduced as a reform focused on the victim's needs. This approach permits victims to lodge an FIR at any police station without regard to jurisdiction, thereby removing unnecessary delays that could interfere with the investigation or put victims at risk. This feature ensures swift action and investigation, placing the victim's comfort and safety at the forefront. By enabling victims to report offenses without unnecessary delays⁵, Zero FIR simplifies the process of filing an FIR, minimizing bureaucratic obstacles and issues related to jurisdiction. This method encourages quicker investigations, better access to justice, and increased accountability, highlighting the changing demands of the Indian criminal justice framework and its dedication to supporting victims and facilitating effective investigations.

RESEARCH METHODOLOGY

The methodology of this study adopts a qualitative and analytical approach, combining doctrinal research with exploratory analysis to examine the importance of zero FIR. For this, data are collected through secondary sources like books, research scholars, reports, newspapers include academic literature, case studies, and reports on zero FIR. A comprehensive analysis of zero FIR on the efficiency of criminal investigation conducted to identify best practices and insights for India.

ORIGIN OF ZERO FIR

In the case of *Satvinder Kaur v. State*⁶ The Supreme Court examined the issue of territorial jurisdiction regarding the filing of an FIR, establishing a significant precedent in the development of Zero FIR practices. The court affirmed that police have the power to record an FIR without regard to jurisdiction, with the provision that it could later be transferred to the relevant authority. The police are obligated to document any complaints made without citing jurisdictional issues, thereby upholding the complainant's right to report a crime. The concept of Zero FIR was first introduced following the recommendations of the Justice Verma Committee⁷ in the Criminal Law (Amendment) Act, 2013. The introduction of Zero FIR came about following the recommendations made by the *Justice Verma Committee*⁸, which was established in response to the 2012 Nirbhaya gang rape incident. The Justice Verma Committee⁹, acknowledging the challenges encountered by victims when filing complaints, especially in sexual violence cases, advised that FIRs should be recorded promptly and without regard to jurisdictional limitations. The reasoning behind this was to ensure that victims are not denied assistance at police stations because of jurisdictional concerns, which frequently led to delays that could jeopardize the investigation and the safety of the victim. In the decision of *Ramesh Kumari v. State*¹⁰ the Supreme Court emphasized the necessity of filing an FIR for cognizable offenses. The police are unable to initiate an investigation without the filing of an FIR; they are obligated to document a crime before taking any further steps. Consequently, it is vital that an FIR is lodged promptly after a criminal incident to ensure the legitimacy

⁵ Vibhuti Narain rai, "zero Fir : A step towards police reforms", Vol 61, Issue 2, pp 45-52

⁶ Satvinder Kaur v. State (Govt. of NCT of Delhi), 8 SCC 728 (1999)

⁷ Singh, R "Criminal Law Amendment Act, 2013: A Critique in Light of Justice Verma Report" Indian Journal of Criminology and Criminal Justice, Vol. 1, Issue 2, pp. 45–52.

⁸ R.K. Raghavan (2016), "Victim-Centric Policing and the Role of Zero FIR", Journal of the National Human Rights Commission, Vol. 15, pp. 89–95.

⁹ Ghosh, S. (2014) "Justice Verma Committee and Legal Reform: Missed Opportunities?" NUJS Law Review, Vol. 6, Issue 1, pp. 23–35.

¹⁰ Ramesh Kumari v. State 2 SCC 677, AIR 2006 SC 1322 (2006)

of the complaint, and often the absence of territorial jurisdiction poses a challenge for victims in reporting their issues to the police. For this reason, the Delhi High Court determined that when the police encounter a cognizable offense, they must document it under Section 154 Cr.P.C. as an FIR, but if it is later found that the offense did not occur within the jurisdiction of that police station, the '**Zero FIR**' must be sent to the appropriate police station that has the jurisdiction to act. The Zero FIR provision has also received backing from numerous judgments issued by the Supreme Court and various High Courts. For example, in the case of *Lalita Kumari vs Govt. of UP*¹¹ the Supreme Court ruled that it is essential to record an FIR when the information reveals the occurrence of a cognizable offense. Additionally, *Satvinder Kaur vs State*¹², the Delhi High Court determined that a woman has the right to file her complaint from any location other than where the incident took place. *Satvinder kaur vs state* reinforced the concept of zero FIR, allowing FIR registration at any police station. *Kirti Vashisht v. State & Ors*¹³. The Bombay High Court also ruled that under Section 156 (1), a police officer is authorized to investigate any cognizable offense within the geographic boundaries of their police station, as described in Chapter XIII. Additionally, even if a police officer is summoned, as per sub-section (2), they cannot be challenged in court solely due to a lack of jurisdiction to examine the matter. According to the provisions of the Cr.P.C., the report must be signed in accordance with Sections 168, 169, and 170. Section 170 explicitly states that if the officer in charge of the police station discovers sufficient evidence and reasonable grounds to advance the case to a magistrate capable of taking cognizance of the matter, the case should proceed accordingly. If the investigating officer finds that the crime took place outside the territorial jurisdiction of their police station, the FIR can be forwarded to the appropriate police station that has authority over the area where the offense occurred. However, this does not imply that the police officer has the right to refuse to record or investigate the FIR. *Satish Dharmu Rathod & Ors. v. State of Maharashtra & Ors*¹⁴. All these instances reinforce the idea that a victim or witness must also file an FIR for the police to acknowledge a case. It is crucial for law enforcement to document an FIR regarding any cognizable offense, without dismissing the complainant's concerns due to jurisdictional or administrative issues. Although the Criminal Procedure Code did not initially incorporate the Zero FIR practice as a formal provision, the aforementioned cases indicate that it was broadly promoted. This continued until the introduction of the new legal framework and the implementation of the Bharatiya Nagarik Suraksha Sanhita, which took effect on July 1, 2024, to replace the previous criminal laws. The BNSS now contains a distinct clause in its section regarding FIR registration, granting legal recognition to the Zero FIR, rather than merely relying on judicial precedents¹⁵.

JUSTICE TRAVELS WHERE THE VICTIM GOES

Zero FIR refers to a filing process similar to that of a traditional FIR submitted at a police station. The primary distinction between an FIR and a Zero FIR lies in their lodging; an FIR is filed at the police station that has jurisdiction where the incident occurred, while a Zero FIR can be submitted at any police station regardless of where the event took place. **SECTION 173¹⁶. REGISTRATION OF FIR** (1) Every

¹¹ Lalita Kumari vs Govt. of Uttar Pradesh & others, (2014) 2 SCC 1

¹² Satvinder Kaur vs State (Govt of NCT of Delhi) 8 SCC 728 (1999)

¹³ Kirti Vashisht v. State & Ors. CRL.M.C. 5933/2019 & CrI.M.A. 40833/2019 (Delhi High Court, 2019).

¹⁴ Satish Dharmu Rathod & Ors. v. State of Maharashtra & Ors., (2017) 1 A.I.R. Bom. R (Cri) 77

¹⁵ Sangeeta Bansal, "Zero FIR: A Tool for Access to Justice for Women", International Journal of Law and Legal Jurisprudence Studies, Vol. 5, Issue 1, pp. 23–30.

¹⁶ Bharatiya nagaraik suraksha sanhita 2023 S 173

information relating to the commission of a cognizable offence, irrespective of the area where the offence is committed, may be given orally or by electronic communication to an officer in charge of a police station, and if given—

(i) orally, it shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it¹⁷;

(ii) by electronic communication¹⁸, it shall be taken on record by him on being signed within three days by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may by rules prescribe in this behalf:

(2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant or the victim.

(3) Without prejudice to the provisions contained in section 175¹⁹, on receipt of information relating to the commission of any cognizable offence, which is made punishable for three years or more but less than seven years, the officer in charge of the police station may with the prior permission from an officer not below the rank of Deputy Superintendent of Police, considering the nature and gravity of the offence,—

(i) proceed to conduct preliminary enquiry to ascertain whether there exists a prima facie case for proceeding in the matter within a period of fourteen days; or

(ii) proceed with investigation when there exists a prima facie case.

(4) Any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in sub-section (1), may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this Sanhita, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence failing which such aggrieved person may make an application to the Magistrate²⁰.

Step-by-Step Procedure:

A complainant can approach any police station, regardless of its territorial jurisdiction (173(1) BNSS), to file a complaint.

Upon receiving information regarding a cognizable offence that occurred outside the police station's territorial jurisdiction, the SHO or the officer on duty documents the complaint in the Zero FIR register according to the relevant legal provisions.

As stipulated in 173(1) of BNSS²¹:

¹⁷ Kaur, Manpreet (2019) "E-FIR: Legal Feasibility and Public Awareness in India" International Journal of Research and Analytical Reviews (IJRAR), Vol. 6, Issue 1, pp. 450–457.

¹⁸ G.P. Joshi (2015), "Criminal Justice Reforms and Zero FIR: Enhancing Victim Access", Criminal Law Journal, Vol. 121, pp. 221–228.

¹⁹ Singh, Amit (2020) "Digitalization of Criminal Justice: Role and Relevance of E-FIR" Journal of Legal Studies and Research, Vol. 6, Issue 2, pp. 211–218.

²⁰ Tripathi, Ruchi (2021) "E-FIR in India: A Tool for Easy Access to Justice" International Journal of Law Management & Humanities, Vol. 4, Issue 3, pp. 891–897.

²¹ Bharatiya nagaraik suraksha sanhita 2023 S 173

Filing the Complaint: Visit any police station to report a cognizable offense. The Station House Officer (SHO) or the on-duty officer must document the statement verbatim, either orally or through electronic means, and read it back for the complainant's signature.

- if reported orally, it must be documented in writing and then read back to the informant. All such information, whether provided in writing or converted into writing, must be signed by the individual providing it;
- if communicated electronically, it will be recorded and signed by the informant within three days..."

Registration of Zero FIR: The FIR is assigned a "Zero" designation to indicate a transfer of jurisdiction. The complainant receives a complimentary copy without delay²².

Initial Inquiry (If Necessary): For offenses with a potential sentence of 3–7 years, the officer in charge may initiate an initial inquiry with the approval of the Deputy Superintendent of Police (DSP) to assess whether a complete investigation is justified. According to 173(3) of BNSS

"Without affecting the provisions mentioned in section 175, upon receiving information regarding a cognizable offence punishable by three years or more but less than seven years, the officer in charge may, with prior approval, carry out a preliminary inquiry or proceed with an investigation²³."

Transfer to the Appropriate Station: The Zero FIR is officially sent to the correct police station, where it is re-registered as a full FIR and an Investigating Officer (IO) is appointed.

Official Investigation: The assigned IO carries out the investigation following BNSS protocols, gathering evidence, making arrests if necessary, and keeping the complainant informed. A Zero FIR is recorded in a specific register, and a free copy of the FIR is provided to the complainant. If necessary, a preliminary inquiry will be conducted within 14 days to establish the initial merit. After this, the FIR will be sent to the appropriate police station for transfer and re-registration under the standard FIR numbering system. The investigation carried out by the designated investigating officer primarily involves gathering evidence, interviewing witnesses, conducting medical examinations, and making arrests²⁴.

OBJECTIVES OF ZERO FIR²⁵

- **Immediate Filing:** To guarantee the instant registration of FIRs, allowing for quick investigations and the preservation of evidence.
- **Victim-Focused Strategy:** To emphasize the safety and convenience of the victim, enabling access to justice without avoidable delays.
- **Simplified Procedure:** To make the FIR submission process easier, minimizing red tape and jurisdictional difficulties.
- **Quicker Investigations:** To facilitate prompt investigations, thereby increasing the likelihood of catching offenders and boosting victim safety.
- **Better Accessibility to Justice:** To enhance fairness and access within the justice system, enabling victims to report crimes without concerns over jurisdiction.

²² Sharma, Neha (2022) "E-FIR and Access to Criminal Justice in the Digital Era" International Journal of Law, Vol. 8, Issue 4, pp. 123–128.

²³ Dr. K.N. Chandrasekharan Pillai, R.V. Kelkar's Criminal Procedure, 76-89, 7th Edition, 2020

²⁴ Mehta, P. B. "The Justice Verma Committee Report: An Institutional Response to a Social Crisis" Seminar Journal, Issue 641 (January 2013).

²⁵ Ratanlal & Dhirajlal, The Code of Criminal Procedure, 96-199, 24th Edition, 2022

- **Greater Accountability:** To promote transparency and responsibility in the police force, ensuring that law enforcement agencies react swiftly to offenses.

CASES THAT SHAPED THE EVOLUTION OF ZERO FIR INTO A PROVISION

Mukesh & Anr v. State for NCT of Delhi²⁶. The brutal gang rape incident of 'Nirbhaya' in New Delhi in 2012 created a nationwide uproar. This event acted as a driving force for the establishment of the Zero FIR concept in India. The delays in filing the FIR and inadequate investigations highlighted the need for a new legal framework that permitted victims to report crimes immediately after they occurred, regardless of where the crime took place. The establishment of the Justice Verma Committee was a direct consequence of this case, leading to the eventual implementation of Zero FIR as an important aspect of the Indian criminal justice system.

Mohd. Akhtar v. State of Jammu Kashmir²⁷. In 2018, an 8-year-old was gang-raped and killed in the Kathua Rape Case. Due to jurisdictional issues, the victim's family had a difficult time filing a formal complaint in this case, which involved eight accused. Delays in the inquiry resulted from the police's initial refusal to file the FIR. In order to guarantee that victims of serious crimes can obtain justice as soon as possible, this example demonstrated how crucial it is to implement Zero FIR efficiently.

In **Anita Kushwaha v. Pushap Sudan**²⁸ The Supreme Court ruled that if information reveals a cognizable offense, a Zero FIR must be filed. The court added that regardless of territorial jurisdiction, the police have a legislative obligation to file a formal complaint. The Supreme Court's authority to transfer civil cases across states, particularly to and from Jammu and Kashmir, was a major legal topic that was considered in this case. The case highlighted the court's authority to provide access to justice regardless of a person's location.

Arnab Ranjan Goswami vs Govt. of Maharashtra²⁹: This case demonstrated how the Mumbai police failed to register a formal complaint (FIR) despite learning of an architect's suicide from the deceased's family. The Supreme Court reiterated that police must report an occurrence right away, and that failing to file a Zero FIR or delaying doing so could have legal repercussions for the concerned officials.

CONSEQUENCES FOR FAILING TO COMPLY

The avenues available to an individual when a police officer at a station declines to register a zero FIR are identical to those available in the case of a regular FIR. Consequently, if a police officer fails to perform the duty assigned to him by not registering a case based on a reported cognizable offence, the affected individual may send a written summary of the information via post to the relevant Superintendent of Police³⁰. If the Superintendent finds that the information submitted indicates a cognizable offence, he may either investigate the matter himself or instruct a subordinate police officer to conduct the investigation as outlined in section 154(3) of the Cr.P.C. Should the police continue to refuse to register the FIR, the individual can then approach the magistrate's court under section 156(3) of the Cr.P.C. to file a complaint requesting the registration of the FIR³¹. Therefore, it is clear that, according to the law, the police may register an FIR for a cognizable offence even if the incident did not occur within their station's jurisdiction.

²⁶ Mukesh & Anr v. State for NCT of Delhi AIR 2017 SC 2161

²⁷ Mohd. Akhtar v. State of Jammu Kashmir 2018 (5) SCC 499

²⁸ Anita Kushwaha v. Pushap Sudan 2016 SC 562

²⁹ Arnab Ranjan Goswami vs Govt. of Maharashtra 2020 SCC 896

³⁰ Law of Criminal Procedure, Dr. N.V. Paranjape, 88-100, 19th Edition, 2022

³¹ Dr. K.N. Chandrasekharan Pillai, R.V. Kelkar's Criminal Procedure, 76-89, 7th Edition, 2020

In a different situation, if it is known at the time of FIR registration that the offence took place outside the police station's jurisdiction, the police must subsequently transfer the case to the appropriate police station for further investigation. In such instances, the police typically register a 'Zero FIR' first and then forward it to the designated police station for handling it.

Action under section 166-A of the Indian Penal Code:

Section 199 (c) of the BNS (Public servant disobeying direction under law)³²

"Whoever, being a Public Servant, fails to record any information given to him under sub-section (1) of section 173 of BNSS, in relation to cognizable offence, shall be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine."

It is therefore evident that legal action can be initiated against a negligent police officer who declines to file an FIR that reveals a cognizable offence as outlined in the relevant section. Following this, on 19.09.2019, a division bench of the Karnataka High Court issued certain directives to the State Government concerning a PIL petition in W.P. No. 30666/2019, where the Petitioner raised concerns about the failure to register FIRs due to issues of territorial jurisdiction³³:

- Regardless of whether the alleged offence took place outside the geographical limits of the Police station, an FIR should be filed, which will then be forwarded to the correct Police station.
- Police officers must be explicitly informed that neglecting to register an FIR and failing to act upon information regarding a cognizable offence could lead to prosecution under section 166-A of the Indian Penal Code and may also result in internal disciplinary action against them.

Subsequent to the directives issued by the Hon'ble High Court of Karnataka, the Karnataka police circulated a notice to implement Zero FIRs and stressed the need for all unit officers to strictly adhere to the High Court's instructions³⁴.

Similar directions were passed by the Hon'ble Delhi High Court in **Kirti Vashisht vs State & Ors**³⁵, pursuant to which the Delhi Police issued a circular dated 20.12.2019 to be complied with by the police officers for registration of Zero FIR.

COMPARISON BETWEEN CRPC AND BNSS OVER ZERO FIR³⁶

PROVISION	CRPC 1973	BNSS 2023
Registration of FIR	Section 154	Section 173(1)
Electronic filing	Not recognized	e- FIR with 3 day signature rule
Zero FIR	Only via SC\HC	Statutory mandate
Preliminary enquiry	Generally impermissible post Lalita kumari	Statutory 14 day window for 3-7 year offence

³³ Dr. K.N. Chandrasekharan Pillai, R.V. Kelkar's Criminal Procedure, 7th Edition, 2020

³⁴ Bansal, Sangeeta (2018) "Zero FIR: A Tool for Access to Justice for Women" International Journal of Law and Legal Jurisprudence Studies, Vol. 5, Issue 1, pp. 23–30.

³⁵ Kirti Vashisht vs State & Ors. 2019 SCC OnLine Del 11713

³⁶ Kaur, Manpreet (2019) "E-FIR: Legal Feasibility and Public Awareness in India" International Journal of Research and Analytical Reviews (IJRAR), Vol. 6, Issue 1, pp. 450–457.

Victim safeguard	centric	Limited to sexual offence proviso	Expanded to disability, video graphy.
Action Refusal	against	Section 154(3), judicial remedies	Section 175 BNSS and section 199 (c) BNS
Procedure transfer	for	Not explicitly mentioned	Section 173(2)

MHA LAUNCHES E-ZERO FIR INITIATIVES

The zero FIR was also introduced in cyber crime offences, the union home minister Amit Shah's has publicly praised the e- FIR initiatives and ensure a safe digital environment for all citizen.

CHALLENGES AND ISSUES WITH ZERO FIR

While the establishment of Zero FIR marks a positive advancement in making the FIR registration procedure more accessible, it comes with its own set of challenges and issues³⁷:

Awareness and Training: A major obstacle is the insufficient awareness among both the public and law enforcement regarding the Zero FIR concept. Many police personnel lack complete training or knowledge about this new provision, which can lead to situations where they might refuse to file a Zero FIR or improperly manage the process.

Misuse and False Reporting: The potential for misuse of Zero FIRs is a concern. Since a complainant can file a Zero FIR at any police station, there are worries that some individuals might falsely report crimes in various jurisdictions to harass others or manipulate the system. This could create an overload for police stations tasked with investigating cases outside their designated areas, resulting in inefficiency and resource depletion³⁸.

Inter-Police Coordination: Effective collaboration among different police stations across states and regions is essential for the success of Zero FIRs. This necessitates strong communication channels, clearly defined procedures, and a clear understanding of jurisdictional limits. In the absence of proper coordination, there is a risk that Zero FIRs may not be adequately transferred or pursued, undermining the intent of the reform.

Jurisdictional Conflicts: Although Zero FIR aims to address jurisdictional challenges, conflicts may still occur between police stations over who should carry out the investigation. Such disputes can cause delays in the investigative process and might even lead to the case being abandoned altogether³⁹.

Implementation and Monitoring: The effective execution of Zero FIRs hinges on oversight and monitoring to ensure compliance by police stations nationwide with the new system. This includes making sure that FIRs are transferred promptly and that victims are not subjected to further trauma or intimidation during the process. The implementation of Zero FIR has the potential to greatly improve the rights of victims within the criminal justice framework, despite existing challenges. By eliminating jurisdictional obstacles, victims no longer have to navigate complicated legal and administrative processes to file a crime report. This is especially crucial in instances of sexual violence, domestic violence, and similar offenses

³⁷ Rai, Vibhuti Narain (2014) "Zero FIR and Police Accountability" Indian Police Journal, Vol. 61, Issue 2, pp. 4552.

³⁸ Chakraborty, P. (2013) "Justice Verma Committee Report: A Roadmap for Gender Justice" Economic and Political Weekly (EPW), Vol. 48, Issue 10, pp. 27–30.

³⁹ The Criminal Law (Procedure), S.N. Mishra, 20th Edition, 2021

where a victim might be reluctant to come forward due to fears of retaliation or societal stigma. nZero FIR also ensures that law enforcement is held responsible for their obligation to register FIRs and investigate serious offenses. By allowing victims to report crimes at any police station, this system empowers individuals to pursue justice without being limited by geographic restrictions

TRADITIONAL FIR AND ZERO FIR

Understanding the traditional FIR process is crucial before exploring the concept of Zero FIR. As per the Indian Penal Code (IPC) and the Criminal Procedure Code (CrPC), an FIR is an official record prepared by the police upon obtaining information about the occurrence of a cognizable offense. A cognizable offense enables the police to arrest the accused without a warrant and to initiate an investigation without prior approval from a magistrate.

In the standard FIR procedure, the complainant had to go to the police station that had authority over the area where the crime happened. This often resulted in scenarios where the police would decline to register an FIR if the incident occurred beyond their jurisdiction. Consequently, victims were often instructed to visit the correct police station, leading to unnecessary delays and complications.

Who is eligible to file a Zero FIR: A Zero FIR may be lodged by the victim, a family member, a relative, or any individual possessing relevant information about the event on behalf of the victim. Before trying to file a Zero First Information Report (ZFIR), it is essential to determine whether the offense is cognizable or non-cognizable, as a Zero FIR is only applicable for cognizable offenses.

JUDICIAL PRECEDENT

In the case of *Kirti Vashisht vs. State & Ors*⁴⁰, it was established that even if the FIR pertains to an incident occurring outside the jurisdiction of the police station, the police are still required to record the information as a zero FIR and subsequently transfer it to the appropriate police station.

In *State vs. Harnam Singh, Harnam Singh*⁴¹ and three accomplices were involved in the kidnapping of a girl wearing a school uniform. Upon receiving the report, they were taken to the police station at Parliament Street, where a zero FIR was registered, followed by a medical examination, and then the case was forwarded to the Police Station at Tilak Nagar, where the duty officer received a copy of the FIR.

In *State vs. Satish Kumar*⁴², an army personnel in uniform was brought to the duty officer in an unconscious condition. After regaining consciousness, he reported that he had lost consciousness after consuming mango juice given to him by a 25-year-old man at the Railway Station, noting that his luggage was also missing. A zero FIR was registered at Itarsi Station, and the information was communicated to the RPF in Delhi, with a request made to transfer the case to New Delhi

Disha Rape and Murder Case (2019)

In the prominent Disha rape and murder case in Telangana, law enforcement initially declined to file an FIR due to issues related to jurisdiction. This delay in registering the FIR sparked significant public anger. The incident underscored the necessity of Zero FIR to allow victims to report crimes promptly, free from jurisdictional obstacles. In response to the public outcry, the police eventually registered a Zero FIR, which was subsequently forwarded to the correct jurisdiction for further investigation.

⁴⁰ Kirti Vashisht vs. State & Ors AIR 2019 DEL 1940

⁴¹ State vs. Harnam Singh, Harnam Singh AIR 2023 SC 2854

⁴² State vs. Satish Kumar 2023 DEL CK 0276

The Kathua Rape Case (2018)

In the Kathua rape case, the victim's family encountered considerable difficulties in getting an FIR registered because of conflicting jurisdictional claims. The police's initial refusal to file the FIR resulted in delays in the investigation. This case highlighted the urgent need for the proper application of Zero FIR to ensure that victims of serious offenses can attain justice without unnecessary hold ups.

***Mukesh & Anr v. State for NCT of Delhi*⁴³**

The Nirbhaya gang rape case served as a significant impetus for the introduction of Zero FIR in India. The delays in filing the FIR and the ensuing investigation brought to light the need for a legal framework that allows victims to report crimes immediately, regardless of jurisdiction. The case prompted the formation of the Justice Verma Committee and the eventual implementation of Zero FIR as a crucial reform in the Indian criminal justice system.

Sakshi v. Union of India

The case featured a vicious gang-rape and murder in Delhi, where the victim's friend was first turned away by police while seeking to submit a FIR since the occurrence happened beyond the jurisdiction of the police. The Supreme Court stressed the responsibility of the police, regardless of jurisdiction, to file a FIR, noting that failing to do so breaches a person's fundamental rights under Article 21 of the Constitution (right to life and personal liberty)⁴⁴

***Arnab Ranjan Goswami v. Govt. of Maharashtra*⁴⁵**

The case concerned an architect committing suicide and the Mumbai police failing to file a FIR after getting information from the deceased's relatives. The Supreme Court reaffirmed police officers' need to file a FIR as soon as possible. It stressed the necessity of Zero FIR and warned that failure or delay might result in legal ramifications for the personnel involved.

***Satish Dharmu Rathod & Ors. v. State of Maharashtra & Ors*⁴⁶.**

All these examples push the notion that it is essential for a victim or witness likewise to file an FIR for the police to take cognizance of a matter. It is also necessary for the police to file an FIR in the context of any cognizable offense without dismissing the complainant's issue citing jurisdictional or administrative constraints. Although the C.r. P.C. did not include the practice of Zero FIR as a provision, all the above instances make it clear that it was encouraged comprehensively. This was until the introduction of the new code of laws and the induction of the Bharatiya Nagarik Suraksha Sanhita⁴⁷ to replace the old criminal laws on July 1, 2024. The BNSS now has a separate provision in its section for registering an FIR that gives Zero FIR legal validity and not just a precedent that the courts set to follow⁴⁸.

CONCLUSION

In the realm of criminal justice, the First Information Report (FIR) holds significant value. Its significance arises from its role as the initial phase in legal proceedings, providing essential details for investigations and establishing the foundation for the pursuit of justice. The introduction of Zero FIR in the Indian legal framework addresses the short comings of the existing FIR system. This development addresses

⁴³ Mukesh and ors vs state for NCT of Delhi and ors 2017 SCC online SC 99e

⁴⁴ Sakshi v. Union of India (2004) 5 SCC 518

⁴⁵ Arnab Ranjan Goswami v. Govt. of Maharashtra AIR 2021 SC 845

⁴⁶ Satish Dharmu Rathod & Ors. v. State of Maharashtra & Ors 2017 AIR BOM 779

⁴⁷ Singh, R. (2013) "Criminal Law Amendment Act, 2013: A Critique in Light of Justice Verma Report" Indian Journal of Criminology and Criminal Justice, Vol. 1, Issue 2, pp. 45–52.

⁴⁸ Raj kamal Jha, indiaexpress newspaper (August 23, 2025, 10.57PM) <https://www.newindianexpress.com>

jurisdictional issues, fosters quicker justice, and aligns with the changing landscape of criminal activities in a globalized environment. The concept underscores the government's dedication to a judicial system that is responsive, accessible, and adept at tackling the complexities of contemporary crime. The Zero FIR framework allows for the easy registration of complaints at any police station, regardless of whether the incident took place within their jurisdiction. In the past, police had the discretion to refuse to file FIRs, but the Supreme Court's decision in *Lalita Kumari vs. the State of U.P* stipulates that any information indicating a cognizable offense must be logged as an FIR without further investigation. The absence of legal aid can compromise the integrity of a case. In the Hathras rape incident of 2020, there were delays in filing the FIR due to the influential status of the accused. Timely filing of an FIR is crucial for detaining the perpetrators and preventing the tampering of evidence. Thus, it is essential to report an FIR immediately after an offense to maintain facts and evidence. Grasping the purpose and process of FIR filing is vital for both the public and law enforcement agencies. It serves as a crucial tool for upholding law and order, ensuring justice, and reinforcing the rule of law within a community. The Zero FIR concept modernizes the traditional FIR system by addressing jurisdictional limitations and facilitating swift action in initiating legal proceedings, leading to a more effective and responsive criminal justice framework in India. Essentially⁴⁹, the 'Zero' in Zero FIR signifies the removal of jurisdictional restrictions at the outset of FIR registration, enabling rapid reporting and the commencement of legal actions, thereby contributing to a more effective and responsive criminal justice structure. The Zero FIR concept greatly accelerates the crime reporting process by eliminating jurisdictional barriers, ensuring prompt registration, and initiating legal actions swiftly, resulting in an enhanced and responsive criminal justice system.

SUGGESTION

Zero FIR grants victims the ability to register a First Information Report at any police station, irrespective of jurisdiction, which facilitates swift action and timely justice. This measure can prove especially advantageous in urgent situations where every second matters. By allowing victims to report offenses without concern for jurisdictional limits, Zero FIR can boost accessibility and improve support for victims. To maximize its effectiveness, it is crucial to ensure that police stations are adequately prepared to manage Zero FIRs and that the transfer of cases to the appropriate jurisdiction is executed smoothly.

REFERENCE

BIBLIOGRAPHY

1. Dr. K.N. Chandrasekharan Pillai , R.V. Kelkar's Criminal Procedure, Edition: 7th , 2020 Eastern Book Company
2. Ratanlal & Dhirajlal , The Code of Criminal Procedure , 24th Edition, 2022
3. Dr. N.V. Paranjape , Law of Criminal Procedure , Edition: 19th Edition, 2022, Publisher: Central Law Publications
4. S.N. Mishra The Criminal Law (Procedure) , Edition: 20th Edition, 2021

JOURNALS

1. Chakraborty, P. "Justice Verma Committee Report: A Roadmap for Gender Justice" *Economic and Political Weekly (EPW)*, Vol. 48, Issue 10, pp. 27–30.

⁴⁹ G. Subramania Iyer , The hindu, (August 23, 10.59PM) <https://www.thehindu.com>

2. Singh, R. "Criminal Law Amendment Act, 2013: A Critique in Light of Justice Verma Report" Indian Journal of Criminology and Criminal Justice, Vol. 1, Issue 2, pp. 45–52.
3. Ghosh, S. (2014) "Justice Verma Committee and Legal Reform: Missed Opportunities?"
 1. NUJS Law Review, Vol. 6, Issue 1, pp. 23–35.
4. Mehta, P. B. "The Justice Verma Committee Report: An Institutional Response to a Social Crisis" Seminar Journal, Issue 641 (January 2013).
2. 5. Kumar, A. (2013) "The Criminal Law (Amendment) Act, 2013: Legislative Reform or Political Compromise?"
5. Tripathi, Ruchi "E-FIR in India: A Tool for Easy Access to Justice" International Journal of Law Management & Humanities, Vol. 4, Issue 3, pp. 891–897.
6. Tripathi, Ruchi (2021) "E-FIR in India: A Tool for Easy Access to Justice" International Journal of Law Management & Humanities, Vol. 4, Issue 3, pp. 891–897.