

RESEARCH QUESTION

"What is a Zero FIR under Indian law including the Bharatiya Nagarik Suraksha Sanhita, 2023, when can it be filed at any police station regardless of jurisdiction, and what have courts held about police refusal to register one?"

Statutory Mandate and Judicial Precedents Governing Zero FIRs in India, including the BNSS, 2023

TL;DR

Under Indian law, a Zero FIR is a First Information Report registered at any police station regardless of its local territorial jurisdiction, which is designated with the serial number "0" and subsequently transferred to the competent station. This practice has now been given explicit statutory recognition under Section 173(1) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, as affirmed by the Madras High Court in *Anand Sathish v. Superintendent of Police* (2024). Courts have held that a police officer's refusal to register a Zero FIR is an illegal dereliction of duty, though the remedy for non-registration lies in exhausting statutory procedural mechanisms rather than directly filing constitutional writ petitions.

VERIFIED CASES	STATUTES	LATEST RULING
9 8 High Courts · 1 SC	3	2025 High Court for State of Telangana

CONTENTS

I. Detailed Analysis	3
II. Statutory Provisions	5
III. Cases Discussed	6
IV. Case Details	7

I. Detailed Analysis

KEY PRINCIPLES ESTABLISHED

01 Formal Statutory Codification under the BNSS, 2023

Section 173(1) of the BNSS, 2023 codifies the concept of a Zero FIR by mandating that information regarding a cognizable offence must be recorded by the officer-in-charge "irrespective of the area where the offence is committed," as highlighted in *Anirban Bhattacharya v. State of West Bengal* (2025).

02 Origin in the Justice Verma Committee Recommendations

The Zero FIR mechanism was introduced following the recommendations of the Justice Verma Committee Report in the wake of the 2012 Nirbhaya case to ensure that victims of heinous crimes are not turned away by police on jurisdictional pretexts, as explained in *Neelu Shrivastava v. State* (2021).

03 Structured SOP for Numbering and Transfer

Under prevailing administrative standard operating procedures, when a non-jurisdictional police station records a cognizable complaint, it prefixes the FIR number with "Zero" ("0") and conducts any necessary immediate primary steps before forwarding it to the appropriate local station, as detailed in *Shivananad Bhajanthri v. State of Telangana* (2025).

04 Refusal Constitutes a Dereliction of Statutory Duty

Police officers have no lawful authority or discretion to refuse the registration of a cognizable complaint based on territorial boundaries, and returning a complaint to the informant instead of transferring it is an unacceptable dereliction of duty, as ruled in *Gokulananda Purohit v. State of Odisha* (2024).

05 Non-Maintainability of Writ Petitions for Mandatory Registration

Constitutional courts do not entertain direct writ petitions for a mandamus to compel police to register a Zero FIR, because complainants have adequate alternative remedies under the Code of Criminal Procedure or the BNSS, as established in *Petitioner v. Station House Officer of II Town Police Station* (2022).

HOW THE COURTS HAVE APPLIED THIS

**SUPREME COURT
POSITION**

The Supreme Court has recognized the long-standing procedural practice of registering Zero FIRs and transferring them to the jurisdictional police station, but has clarified that this obligation does not apply to special statutes where the authority to initiate prosecution is restricted to specific officers, as held in *Union of India v. Ashok Kumar Sharma and Others* (2020).

**HIGH COURT
VARIATIONS**

High Courts have repeatedly stepped in to address systemic failures where complainants are forced to "run from pillar to post" due to jurisdictional squabbles between police stations. In *Kirti Vashisht v. State & Ors.* (2019), the Delhi High Court directed the Commissioner of Police to issue a standing order instructing all police stations to register Zero FIRs. This echoes earlier jurisprudential positions, such as in *Radha v. State* (2011), where it was emphasized that an officer-in-charge has "no escape" from recording cognizable information, whether or not the offence occurred within their station limits.

II. Statutory Provisions 3 PROVISIONS

SECTION 173, BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 — INFORMATION IN COGNIZABLE CASES

Mandates the recording of information regarding a cognizable offence, allowing it to be registered irrespective of the location where the offence was committed.

"173. Information in cognizable cases.—(1) Every 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" *Cited in: Shivananad Bhajanthri v. State of Telangana, Gokulananda Purohit v. State of Odisha, Anirban Bhattacharya v. State of West Bengal*

SECTION 174, BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 — INFORMATION AS TO NON-COGNIZABLE CASES AND INVESTIGATION OF SUCH CASES

Governs the procedure for recording information and conducting investigations in non-cognizable cases.

"174. Information as to non-cognizable cases and investigation of such cases.—(1) When information is given to an officer in charge of a police station of the commission within the limits of such station of a non-cognizable offence, he shall enter or cause to be entered the substance of the information in a book to be kept by such officer" *Cited in: Shivananad Bhajanthri v. State of Telangana, Gokulananda Purohit v. State of Odisha, Anirban Bhattacharya v. State of West Bengal*

SECTION 31, RAJASTHAN POLICE ACT, 2007 — RECORDING OF INFORMATION IN COGNIZABLE CASES

Requires police officers to promptly record cognizable offence information and provides for disciplinary action against officers who refuse to do so.

"Section 31. Recording of information in cognizable cases\n\n(1) The officer in-charge of a\nnpolice Station shall promptly received and record every information relating to\n\nthe commission of a cognizable offence in accordance with the provisions of\n\nthe Code of Criminal Procedure, 1973 (Central Act No. 2 of 1974)." *Cited in: none*

III. Cases Discussed

9 CASES · SUMMARY TABLE

#	CASE TITLE	COURT	YEAR	KEY HOLDING
01	<i>Anand Sathish v. Superintendent of Police</i> HCMD011008342024	MADRAS HIGH COURT	2024	Confirms Zero FIR's statutory basis under Section 173(1) of the BNSS, 2023.
02	<i>Shivananad Bhajanthri v. State of Telangana</i> HBHC010482962025	HIGH COURT FOR STATE OF TELANGANA	2025	Outlines BPR&D SOP steps for registering and transferring Zero FIRs under BNSS.
03	<i>Anirban Bhattacharya v. State of West Bengal</i> WBCHCA0507452023	CALCUTTA HIGH COURT	2025	Defines Zero FIR as marking the initial investigation stage before determining jurisdiction.
04	<i>Gokulananda Purohit v. State of Odisha</i> ODHC010213352024	ORISSA HIGH COURT	2024	Rules that refusal to register a Zero FIR is an unacceptable dereliction of duty.
05	<i>Petitioner v. Station House Officer of II Town Police Station</i> APHC010238202022	HIGH COURT OF ANDHRA PRADESH	2022	Holds that writ petitions to compel Zero FIR registration are not maintainable.
06	<i>Neelu Shrivastava v. State</i> DLHC010126882020	HIGH COURT OF DELHI	2021	Highlights origin of Zero FIR in Justice Verma Committee's Nirbhaya case recommendations.
07	<i>Kirti Vashisht v. State & Ors.</i> DLHC010456812019	HIGH COURT OF DELHI	2019	Directs Commissioner of Police, Delhi to issue circulars mandating Zero FIR registration.
08	<i>Union of India v. Ashok Kumar Sharma and Others</i> ESCR010002222020	SUPREME COURT OF INDIA	2020	Explains the general practice of Zero FIR but restricts its use under special acts.
09	<i>Radha v. State</i> DLHC011604792008	HIGH COURT OF DELHI	2011	Establishes that police must record cognizable information irrespective of territorial limits.

IV. Case Details 9 CASE FILES

01 Anand Sathish v. Superintendent of Police

MADRAS HIGH COURT • 2024-11-06 • CRL OP(MD)/16013/2024

The petitioner sought the transfer of an investigation from the District Crime Branch in Dindigul to the Central Crime Branch in Madurai, arguing that the Dindigul police lacked territorial jurisdiction over the alleged offences of forgery and cheating. Finding that the evidence pointed to the offence occurring within Madurai, the court allowed the petition and directed the Dindigul police to transfer the case to the Madurai authorities for further investigation.

HELD The High Court held that the concept of a Zero FIR has been formally given a statutory basis under Section 173(1) of the BNSS, 2023. An officer-in-charge must record information regarding a cognizable offence irrespective of their territorial or jurisdictional competence. However, once recorded, the investigation must be transferred to the competent jurisdictional police rather than being continued by the non-jurisdictional station.

“As rightly pointed out by the learned Senior Counsel appearing for the petitioner, Zero FIR has been given a statutory basis under BNSS, 2023 by including the same in Section 173(1) which relates to registration of FIR in cognizable cases. 21. Considering the scope of Zero FIR, it is clear that an Officer in charge of a Police Station, irrespective of his jurisdictional competence, shall record every information received orally or in writing, relating to the commission of a cognizable offence”

MADRAS HIGH COURT • 2024

SOURCE HCMD011008342024

02 Shivananad Bhajanthri v. State of Telangana

HIGH COURT FOR STATE OF TELANGANA • 2025-08-29 • CRLP/10506/2025

The petitioners sought to quash an FIR registered at a Hyderabad police station concerning alleged matrimonial offences under the Bharatiya Nyaya Sanhita and the Dowry Prohibition Act. The court observed that while the police correctly exercised their power to record the complaint, they failed to classify it as a 'Zero FIR'. Consequently, the petition was disposed of with a direction to the police to transfer the investigation to the appropriate authorities in Karnataka.

HELD The High Court clarified that under Section 173 of the BNSS, 2023, police are fully authorized to register a Zero FIR for cognizable offences even if they do not possess territorial jurisdiction. This mechanism is designed to prevent delayed justice when victims are in urgent or threatening situations. The court outlined the Bureau of Police Research and Development (BPR&D) SOP steps, which require prefixed numbering (e.g., "0118 of 2025" instead of "118") and subsequent transfer to the jurisdictional police station for regular re-registration.

“A perusal of the complaint reveals the offence to have been occurred at Bijapur, Karnataka District. However, the police can register Zero FIR, even when they do not have any jurisdiction as per Section 173 of BNSS. This is to prevent victims from being delayed or denied justice when they are in urgent or threatening situation.”

HIGH COURT FOR STATE OF TELANGANA • 2025

SOURCE HBHC010482962025

03 Anirban Bhattacharya v. State of West Bengal

CALCUTTA HIGH COURT • 2025-09-19 • CRR/4119/2023

The petitioner filed a criminal application seeking to compel the police to register an FIR against a musician for alleged hate speech and outraging religious sentiments during a live concert. The magistrate had previously dismissed the application under Section 156(3) of the CrPC for lack of territorial jurisdiction, after a police report confirmed the accused neither resided nor performed the alleged act within the jurisdiction of the local police station. The Calcutta High Court upheld the magistrate's order, confirming that the court lacked the authority to direct an investigation into events occurring outside the territorial boundaries of the police station in question.

HELD The High Court held that Section 173(1) of the BNSS, 2023 makes it imperative for any police station to register a Zero FIR when a cognizable offence is reported, regardless of where the occurrence took place. A Zero FIR marks the initial stage of an investigation before the actual place of the offence is determined, ensuring immediate action and preservation of evidence. However, the Magistrate's powers to order an investigation under Section 175(3) of the BNSS (corresponding to Section 156(3) CrPC) remain strictly confined to their territorial jurisdiction.

“According to section 173(1) of the Bhartiya Nagarik Suraksha Sanhita (BNSS) 2023, a Zero FIR allows any police station to register a complaint for a cognizable offence, regardless of whether the incident occurred within its jurisdiction. This section makes it imperative upon the police station to register a Zero FIR in case a cognizable offence is reported, even when the occurrence has taken place outside the jurisdiction of its police station.”

CALCUTTA HIGH COURT • 2025

SOURCE WBCHCA0507452023

04 Gokulananda Purohit v. State of Odisha

ORISSA HIGH COURT • 2024-08-20 • CRLMP/471/2024

The petitioner sought a direction for the police to register an FIR based on his written complaint. The police had refused to register the complaint, citing a lack of territorial jurisdiction. The Court disposed of the petition by directing the relevant police station to forward the complaint to the appropriate authority.

HELD The Court held that an Officer-in-Charge of a police station cannot refuse to record information regarding a cognizable offence solely on the grounds of lack of territorial jurisdiction. Under Section 173 of the BNSS, the legislature has mandated the recording of such information irrespective of the area where the offence is committed. Refusing to record the complaint and returning it to the informant constitutes a clear dereliction of duty.

“The police Constable at the Police Station refused to record the complaint presented by PW1 on the ground that the said Police Station had no territorial jurisdiction over the place of crime. It was certainly a dereliction of duty on the part of the Constable because any lack of territorial jurisdiction could not have prevented the Constable from recording information about the cognizable offence and forwarding the same”

ORISSA HIGH COURT • 2024

SOURCE ODHC010213352024

05 Petitioner v. Station House Officer of II Town Police Station

HIGH COURT OF ANDHRA PRADESH • 2022-11-09 • WP/13993/2022

The petitioner sought a writ of mandamus to compel the police to register an FIR regarding alleged criminal offences of cheating and breach of trust. Relying on settled precedents such as *Sakiri Vasu v. State of U.P.*, the court held that such a writ petition is not maintainable because the petitioner has efficacious alternative remedies under the Code of Criminal Procedure, specifically by approaching the jurisdictional Magistrate under Section 156(3) or filing a private complaint. Consequently, the court dismissed the petition for failure to exhaust these statutory remedies.

HELD The High Court explained that a Zero FIR is registered without assigning a serial number when information about a cognizable offence is received outside a station's territorial limits, after which it is transferred to the jurisdictional station. The court noted that although this procedure was introduced pursuant to the Justice Verma Commission Report after the 2012 Nirbhaya case, an aggrieved person cannot file a writ petition under Article 226 of the Constitution to direct the police to register a Zero FIR. The petitioner must instead exhaust the statutory alternative remedies provided under the Code of Criminal Procedure or the BNSS.

“As regards the concept of registration of “Zero F.I.R.” is concerned, “Zero F.I.R.” is an exception to the general rule of assigning number to the F.I.R. that is registered in a police station on the basis of the report that is lodged with the police. Therefore, a Zero F.I.R., as the name implies, is an F.I.R. without a serial number. A Zero F.I.R. would be registered in any police station where the information about a cognizable offence is received irrespective of whether it has territorial jurisdiction or not.”

HIGH COURT OF ANDHRA PRADESH • 2022

SOURCE APHC010238202022

06 Neelu Shrivastava v. State

HIGH COURT OF DELHI • 2021-11-30 • W.P.(CRL)/481/2020

The petitioner filed a writ petition seeking to restore the investigation of an FIR to the GTB Enclave police station in Delhi, challenging its transfer to the Indrapuram police station in Uttar Pradesh. Given the ongoing investigations and existing legal proceedings, the court found no merit in interfering with the police jurisdiction and dismissed the petition.

HELD The Court clarified that the primary distinction between a regular FIR and a Zero FIR is that the former is registered within the local territorial jurisdiction of a station, while the latter can be lodged at any police station regardless of where the incident occurred. This procedure, stemming from the Justice Verma Committee recommendations following the Nirbhaya rape case, ensures rapid redressal and timely evidence preservation. Once recorded, the station must instantly transfer all pertinent documents to the jurisdictional station, which then numbers the FIR and commences the investigation.

“the only difference between 'FIR' and 'Zero FIR' is that an FIR is registered where the incident has occurred within the jurisdiction of a particular Police Station, and a zero FIR can be lodged at any Police Station irrespective of where the incident has taken place. A zero FIR is admittedly more efficient and is meant to provide quick redressal to the victim”

HIGH COURT OF DELHI • 2021

SOURCE DLHC010126882020

07 Kirti Vashisht v. State & Ors.

HIGH COURT OF DELHI • 2019-11-29 • CRL.M.C./5933/2019

The petitioner sought to quash an ongoing police inquiry into a complaint of property fraud, alleging that he was being repeatedly harassed through multiple complaints on the same facts. The court noted that the police had failed to register a First Information Report (FIR) despite the complainant disclosing a cognizable offense, which is mandatory under Section 154 of the Code of Criminal Procedure. Consequently, the court directed the police to register an FIR and proceed with a proper investigation in accordance with law.

HELD The Delhi High Court emphasized that the practice of registering a Zero FIR is prevalent throughout India and is triggered whenever a complaint disclosing a cognizable offence is received, regardless of territorial limits. The court criticized the inaction of multiple police stations where the complainant was forced to run "from pillar to post." Consequently, the court directed the Commissioner of Police, Delhi, to issue a circular/Standing Order mandating that all police stations register a Zero FIR and transfer it to the jurisdictional station when a cognizable complaint outside their limits is received.

“if any information relating to the commission of CRL.M.C. 5933/2019 Page 10 of 13 a cognizable offence is received by any Police Station, the said Police Station is duty bound to register the FIR. However, if the crime is not occurred in the jurisdiction of the said Police Station, then after registering the „Zero FIR‘, the same has to be transferred to the concerned Police Station for investigation, where the offence has been committed.”

HIGH COURT OF DELHI • 2019

SOURCE DLHC010456812019

08 Union of India v. Ashok Kumar Sharma and Others

SUPREME COURT OF INDIA • 2020-08-28 • 2020 INSC 517

The case addressed whether police officers have the authority to register First Information Reports (FIRs) and investigate offences under Chapter IV of the Drugs and Cosmetics Act, 1940. The Supreme Court held that the Act is a special law, and in light of Section 32, the power to initiate prosecutions is exclusively vested in specific authorities, such as Drugs Inspectors and other gazetted officers. Consequently, police officers cannot register FIRs or conduct investigations under the Code of Criminal Procedure for these offences.

HELD The Supreme Court recognized that there is an established practice of registering a Zero FIR when the police station receiving the information does not possess territorial jurisdiction, which is then made over to the competent jurisdictional station. However, the Court clarified that this practice cannot be invoked by police officers to register and investigate cognizable offences under Chapter IV of the Drugs and Cosmetics Act, 1940, because they lack the legal authority to investigate under that special statute, which is not a mere absence of territorial jurisdiction.

“There is practice of registering an FIR as a Zero FIR, when the Police Station at which FIR is registered, does not have territorial jurisdiction, and then, it is made over to the Police Station which has jurisdiction in the matter. Could it, therefore, be said that when information is given to a Police Officer, within the meaning of Section 154 of the CrPC, in relation to the commission of a cognizable offence under Chapter IV of the Act, the Police Officer must register a FIR and then make it over to the Inspector.”

SUPREME COURT OF INDIA • 2020

SOURCE ESCR010002222020

09 Radha v. State

HIGH COURT OF DELHI • 2011-05-18 • CRL.M.C./3494/2008

The petitioner sought a court directive to compel the police to register an FIR and conduct an investigation into the death of her brother, whose body was discovered in a park in Rohini, Delhi, in 2007. The High Court criticized the police and the local magistrate for their failure to register a formal criminal case upon receiving information regarding a cognizable offence. The court addressed the accountability of law enforcement in performing their statutory duty to investigate allegations of heinous crimes.

HELD The Delhi High Court, quoting the Supreme Court's ruling in *Ashok Kumar Todi v. Kishwar Jahan*, held that the officer-in-charge of a police station is under a strict statutory duty to reduce cognizable oral information into writing and enter it into the prescribed book. This mandatory obligation remains absolute regardless of whether the alleged offence was committed within the local limits of that police station. In contrast, for non-cognizable offences, the officer has no obligation to record the information if the crime took place outside their station's limits.

“The officer-in-charge has no escape from doing so if the offence mentioned therein is a cognizable offence and whether or not such offence was committed within the limits of that police station. But when the offence is non-cognizable, the officer-in-charge of the police station has no obligation to record it if the offence was not committed within the limits of his police station.”

HIGH COURT OF DELHI • 2011

SOURCE DLHC011604792008

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