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ZERO FIR: FILING A COMPLAINT ANYWHERE

-Ashna Ahmad

Imagine a woman assaulted on a highway several kilometres from the nearest town, or a traveller robbed at a railway station far from home. Under the old procedural rule, her first hurdle to justice was often bureaucratic, the police station nearest to her had no “jurisdiction” over the place where the crime occurred & she would be turned away to find “right” station before an investigation could even begin. The *Zero FIR* eliminates this obstacle by making it possible to register a First Information Report (FIR) for any cognizable crime at any police station in India, irrespective of where the crime took place.

WHAT IS ZERO FIR?

Zero FIR allows registration of a FIR in any police station, regardless of where the crime took place. Unlike a regular FIR, it is not given a serial no. at the station of first contact instead it is marked as a no. “Zero”. The police officer in charge must then send the Zero FIR along with the case diary to the police station with geographical jurisdiction over the offense, allowing them to register the Zero FIR in their normal records & carry out investigations. Zero FIR ensures immediate response by police to safeguards rights of the victim. It ensures that the “Golden Hour” (the first hour after a crime) is used for investigation & medical aid rather than travelling between stations. It aligns with Article 21 of constitution, ensuring that “Access to justice” is not delayed by geographical boundaries.¹

FROM JUDICIAL PRACTICE TO STATUTORY RIGHT:

¹ Rishabh Jadam & Suman Paliwal, *Zero FIR in India: Jurisdictional Flexibility and Transformative Constitutionalism*, [Vol. 8] Int’l J. Multidisciplinary Res. (2006).

For years, Zero FIR existed only as an administrative practice built on standing police orders. The Constitutionality and lawfulness of Zero FIR was extensively endorsed by the Supreme Court in the case of *Lalita Kumari v. Govt. of NCT of Delhi*,² where a five-judge bench held that registration of an FIR is mandatory the moment information discloses a cognisable offence, leaving the police no discretion to conduct a preliminary verification before recording it. The judgment made it clear that the right of a victim to get her complaint registered cannot be defeated by questions related to jurisdiction.³

The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), which replaced the Code of Criminal Procedure, 1973 with effect from 1 July 2024, has now given Zero FIR an explicit statutory basis for the first time. Section 173(1) of BNSS provides that information relating to the commission of a cognisable offence “irrespective of the area where the offence is committed” may be given to any officer in charge of a police station, either orally or through electronic communication. What was once a judicially sanctioned convenience is now a codified entitlement.⁴

HOW THE PROCESS WORKS:

Anyone with knowledge of a cognisable offence, not necessarily the victim or an eyewitness, may walk into any police station & lodge complaint. If the complaint is made verbally, it should be written down, read back to the complainant & signed by him/her. The BNSS also formally recognizes electronic FIRs, permitting information to be communicated digitally, subject to the informant signing the recorded statement within three days. Moreover, once the FIR is registered, the police are obliged to give a free copy of an FIR to complainant. The receiving officer forwards the complaint to police station having the required territorial jurisdiction that assigns a regular number to it & carries out an investigation.⁵

The BNSS also includes some measures for protection of complainants in a weaker position. Where the information concerns offenses such as sexual assault or related crimes against women, it must be recorded by a woman police officer. Where the informant is temporarily or permanently disabled, the statement is to be recorded at their residence or a place of their

² *Lalita Kumari v. Govt. of U.P.* (2014) 417 SC.

³ Nitesh Kumar Singh, Digital Transformation of Criminal Investigation in India: A Study of E-FIR, Zero FIR, and Online Complaint Systems 42 (2025).

⁴ Vandana Kakkar & Harshita Thaliwal, Zero First Information Report: Indian Laws and Practice, 2 White Black Legal L.J. [W.B.L.L.J.] 45, 48 (2023).

⁵ Suryansh Pandey, Zero FIR: A Progressive step towards accessible justice, INDIAN JOURNAL OF LEGAL REVIEW (IJLR), 5 (7) OF 2025, PG. 398-400.

choosing, in the presence of an interpreter or special educator, and the process is to be video graphed. These provisions reflect a broader, victim-centered shift in new criminal procedure framework.⁶

WHAT IF THE POLICE REFUSE TO REGISTER IT?

Refusal to record a zero FIR for a cognisable offense is not a mere administrative lapse. It is treated as a violation of both the Lalita Kumari mandate & statutory duty. An aggrieved complainant may approach Superintendent of Police or another higher authority under the BNSS, who is empowered to direct that the FIR be registered & investigated. An officer who refuses to perform his duties may also face punishment under Section 199 of Bharatiya Nyaya Sanhita, 2023, which holds public servants liable for failing to record information that is required to be registered. Together, these provisions are meant to ensure that jurisdictional technicalities never again become an excuse to deny a citizen access to first step of the criminal justice process.⁷

WHY IT MATTERS:

The main point of Zero FIR is speeding up the process. In incidents where time is of the essence, such as sexual assault, kidnapping or hit-and-run cases, it becomes important to be able to lodge a complaint at the nearest police station instead of having to travel across various states. Moreover, it takes away the possibility to turn away a complainant based on the grounds of jurisdiction. By putting it into the text of the BNSS, legislature has made it possible for complainants to demand registration when it is denied by the police.

Nevertheless, with the reform being fairly recent, its success largely depends on its implementation throughout countless police stations of different states where the level of training & resources varies. Therefore, it is important that both complainants and legal practitioners carefully monitor the way courts interpret the scope of Section 173 in future & time frame to transfer Zero FIR to the jurisdictional police station, as the latter is not fully addressed by the provision and is regulated mostly by executive standard operating procedures now, rather than by law itself.⁸

⁶ Nitesh Kumar Singh, Digital Transformation of Criminal Investigation in India: A Study of E-FIR, Zero FIR, and Online Complaint Systems 42 (2025).

⁷ Supra note, 1.

⁸ Mrinal Satish, 'FIR Registration and Access to Justice: An Empirical Study' (2015) 7(2) NUJS Law Review 145.