

## ANALYZING SECTION 154 CRPC + 173 OF BNSS IN LIGHT OF ZERO FIR: AN EMPIRICAL AND DOCTRINAL STUDY OF BNSS, 2023 IN LIGHT OF NCRB DATA

**AUTHOR** – MS. K. NOORUL SHIFA FARGATH\*, MS. T. VAISHALI\*\*, MR. S. SARAVANA KUMAR\*\*

\* STUDENT AT THE TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY, SCHOOL OF EXCELLENCE IN LAW, CHENNAI, INDIA

\*\* ASSISTANT PROFESSOR OF LAW, DEPARTMENT OF CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION, THE TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY, SCHOOL OF EXCELLENCE IN LAW, CHENNAI, INDIA

**BEST CITATION** – MS. K. NOORUL SHIFA FARGATH, MS. T. VAISHALI, MR. S. SARAVANA KUMAR, ANALYZING SECTION 154 CRPC + 173 OF BNSS IN LIGHT OF ZERO FIR: AN EMPIRICAL AND DOCTRINAL STUDY OF BNSS, 2023 IN LIGHT OF NCRB DATA, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 5 (12) OF 2025, PG. 690-698, APIS – 3920 – 0001 & ISSN – 2583-2344

### ABSTRACT

The introduction of the Zero FIR mechanism under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) represents a pivotal reform in India's criminal justice system, ensuring that First Information Reports (FIRs) can be registered at any police station irrespective of territorial jurisdiction. This provision addresses longstanding procedural barriers that have historically delayed investigations and hindered victims' access to justice. The doctrinal framework of FIRs, initially grounded in Section 154 of the Code of Criminal Procedure, 1973 (CrPC), has now been redefined under Section 173 of the BNSS, codifying judicial directions such as those laid down in *Lalita Kumari v. Government of Uttar Pradesh* which mandated compulsory FIR registration.<sup>1202</sup>

Empirical data from the National Crime Records Bureau (NCRB) 2022 Report reveals persistent challenges in FIR registration and delays in investigation, particularly in cases involving sexual offences, cybercrimes, and inter-state crimes.<sup>1203</sup> Zero FIR, by eliminating jurisdictional hurdles, directly responds to these concerns, reducing evidentiary loss and safeguarding victims' rights.<sup>1204</sup> However, its successful implementation depends on police accountability, adequate training, and robust technological infrastructure to prevent misuse and administrative lapses.

This paper undertakes a doctrinal and empirical analysis of Zero FIR under BNSS, drawing upon NCRB statistics, legislative developments, and judicial precedents. It argues that Zero FIR must be backed by uniform enforcement protocols, e-FIR mechanisms, and inter-jurisdictional cooperation to ensure its effective functioning. Ultimately, this study contends that the statutory recognition of Zero FIR strengthens India's commitment to victim-centric justice, constitutional guarantees of fair trial, and timely access to justice.

**Keywords** – Zero FIR, Section 154 CrPC, Section 173 BNSS, 2023, FIR registration, NCRB crime data

<sup>1202</sup> *Lalita Kumari v. Gov't of Uttar Pradesh*, (2014) 2 SCC 1 (India).

<sup>1203</sup> National Crime Records Bureau, *Crime in India 2022: Statistics* (Ministry of Home Affairs, Gov't of India 2023), <https://ncrb.gov.in>.

<sup>1204</sup> Ministry of Home Affairs, *Bharatiya Nagarik Suraksha Sanhita, 2023* (No. 46 of 2023), Gazette of India, Dec. 25, 2023.

## Chapter 1: Introduction

### 1.1 Significance of FIR in Criminal Justice

One essential tool in the Indian criminal justice system is the First Information Report (FIR). When intelligence reveals the commission of a cognizable offense, the police are required by Section 154 of the Criminal Procedure Code (CrPC) to file a formal complaint. By ensuring that the state starts the investigation as soon as possible, this clause protects victims' rights and upholds public confidence in law enforcement.

An FIR serves multiple functions<sup>1205</sup>. The registration of a First Information Report (FIR) plays a pivotal role in the criminal justice system as it marks the initiation of investigation, thereby setting the criminal law in motion and compelling the police to probe the alleged offence. Beyond this procedural significance, it also serves as the official documentation of the complainant's allegations, providing a formal record that can be referred to throughout the trial process. At the same time, the FIR functions as a crucial safeguard against false prosecution, ensuring that the accused is not subjected to arbitrary arrest or investigation without a legitimate basis. Moreover, the system of FIR registration enhances transparency and accountability within law enforcement agencies, since the process is open to judicial scrutiny and review. Together, these dimensions underscore the centrality of the FIR as both a protective mechanism and a foundational step in ensuring justice.

### 1.2 Historical Context

The concept of FIR has its origins in colonial India, influenced by the British legal framework. The Indian Penal Code (IPC) and the CrPC were enacted in the 19th century, incorporating provisions for the registration of FIRs. Over time, these provisions have been amended to address emerging challenges and to align with constitutional guarantees of justice, equality, and protection against arbitrary detention. The introduction of Zero FIR under the Bharatiya Nagarik Suraksha Sanhita (BNSS)<sup>1206</sup> represents a significant reform aimed at enhancing accessibility to justice by allowing victims to lodge FIRs irrespective of jurisdictional boundaries.

### 1.3 Research Questions

This study seeks to explore the following questions:

- How has the jurisdictional framework for FIR registration evolved in India?
- What are the legal implications of Section 154 CrPC and Section 173 BNSS concerning FIR registration and investigation?
- How does the concept of Zero FIR address jurisdictional challenges and its practical implementation?
- What reforms are necessary to streamline the FIR registration process and ensure timely justice?

### 1.4 Methodology

The research adopts a doctrinal approach, analyzing statutory provisions, judicial pronouncements, and secondary literature<sup>1207</sup>. Case studies will be examined to illustrate the practical challenges and judicial responses concerning FIR registration and jurisdictional issues. Additionally, comparative analyses with international practices will provide insights into potential reforms

<sup>1205</sup> Ministry of Home Affairs, *Advisory on Compulsory Registration of FIRs*, available at: [https://www.mha.gov.in/sites/default/files/2023-03/AdvisoryCompulsoryRegistrationFIRs\\_141015\\_3.pdf](https://www.mha.gov.in/sites/default/files/2023-03/AdvisoryCompulsoryRegistrationFIRs_141015_3.pdf).

<sup>1206</sup> Drishti Judiciary, *Section 173 of BNSS – First Information Report*, available at: <https://www.drishtijudiciary.com/current-affairs/section-173-of-bnss>.

<sup>1207</sup> Human Rights Initiative, *The Role of FIR in Criminal Justice*, available at: <https://www.humanrightsinitiative.org/publications/police/fir.pdf>.

## Chapter 2: Legal Framework of FIR

### 2.1 Overview of FIR and Its Legal Basis

The First Information Report (FIR) is a foundational element in the Indian criminal justice system. As per Section 154 of the Criminal Procedure Code (CrPC), the police are mandated to register an FIR when information discloses the commission of a cognizable offence. This provision ensures that the state initiates the investigative process promptly, safeguarding the rights of victims and maintaining public trust in law enforcement agencies.

### 2.2 Section 154 CrPC

Provisions of Section 154<sup>1208</sup>: Cognizable Offences: FIRs are only for cognizable offences, which are serious crimes where police can register a case without prior permission of a magistrate. Method of Registration: Information can be given orally or in writing. If given orally, it must be reduced to writing by the officer. Timeframe: FIR must be recorded immediately. Delays must be explained, as they can affect the credibility of evidence. Contents: FIR must include details of the offence, names of accused (if known), time, date, place, and description of events<sup>1209</sup>.

### 2.3 Section 173 BNSS – Investigative Procedure<sup>1210</sup>

The registration of a First Information Report (FIR) constitutes one of the most significant steps in the criminal justice process, as it sets the criminal law in motion by compelling the police to investigate the alleged offence. At the same time, it serves as an official documentation of the complainant's allegations, creating a reliable record that can be used and referred to during the trial<sup>1211</sup>. This official record is not merely procedural but also functions as a safeguard against false prosecution, ensuring that no individual is subjected to arbitrary arrest or investigation without a legitimate and recorded basis. Importantly, the process of registering an FIR also enhances transparency and accountability in law enforcement, since the act of registration and subsequent investigation is subject to judicial scrutiny, thereby protecting both the rights of the complainant and the accused while maintaining the integrity of the justice system.

## Chapter 3: Comparative Analysis of FIR Jurisdiction under BNSS and CrPC

Aspect	CrPC (Section 154)	BNSS (Section 173)
Territorial Jurisdiction	Mandatory; limited to the police station where offence occurred	Jurisdiction-independent; can register at any police station
Registration Requirement	FIR mandatory for cognizable offences	FIR mandatory and can be registered immediately anywhere
Preliminary Enquiry	Only for non-cognizable offences	Preliminary enquiry allowed for serious offences under Section 173(3)

<sup>1208</sup> JusLextra, *From Information to Investigation and FIR to Procedure CrPC/BNSS*, February 8, 2025, available at: <https://juslextra.in/f/from-information-to-investigation-and-fir-to-procedure-crpcbns>

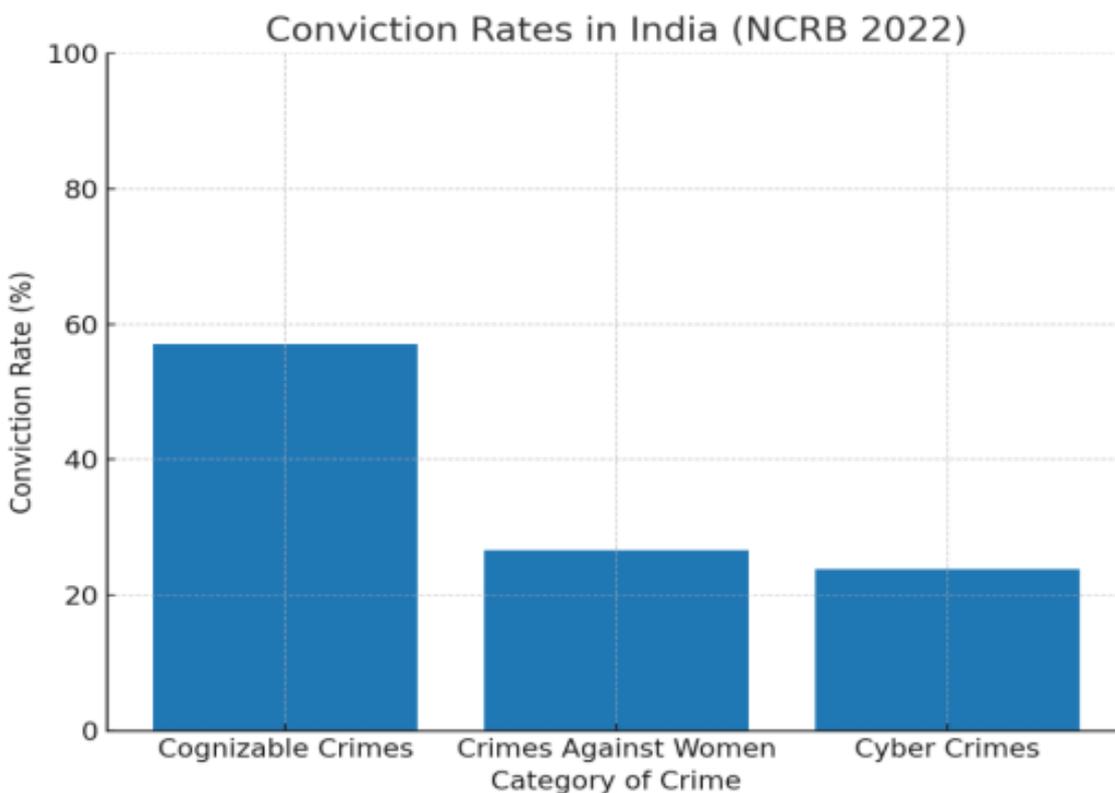
<sup>1209</sup> K.S. & K., *Constitutional View on Preliminary Enquiry: Section 173(3)*, May 17, 2025, available at: <https://ksandk.com/corporate/constitutional-lens-preliminary-enquiry-bnss/>

<sup>1210</sup> Vaish Associates Advocates, *Registration of FIR (First Information Report)*, May 30, 2025, available at: <https://www.lexology.com/library/detail.aspx?g=7341faf6-4cef-44fd-bcdd-c56af55c50e7>

<sup>1211</sup> Ministry of Home Affairs, *Advisory on Registration of FIR irrespective of territorial jurisdiction and Zero FIR* (National Advisories Portal), <https://www.mha.gov.in>.

Victim Accessibility	Limited; victim must know correct police station	High; victim can file FIR without jurisdictional concerns
Transfer of Case	Not required unless misfiled	Mandatory transfer to correct jurisdiction after registration
Judicial Oversight	Supreme Court mandates registration	Judicial oversight reinforced; courts supervise transfer and process
Technological Adaptation	Traditional paper-based filing	Incorporates e-FIR and digital registration
Territorial Jurisdiction	Mandatory; limited to the police station where offence occurred	Jurisdiction-independent; can register at any police station
Registration Requirement	FIR mandatory for cognizable offences	FIR mandatory and can be registered immediately anywhere
Preliminary Enquiry	Only for non-cognizable offences	Preliminary enquiry allowed for serious offences under Section 173(3)

Chapter 4: The conviction rate across different categories of crime

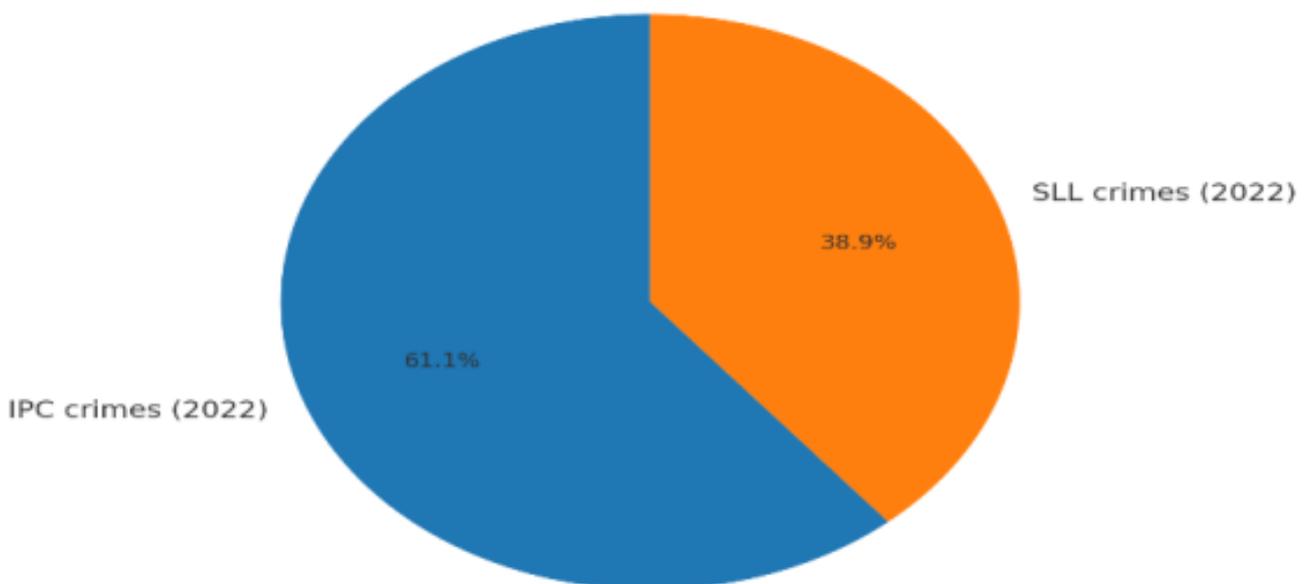


The conviction rate across different categories of crime, as reported in the *Crime in India 2022* publication of the National Crime Records Bureau (NCRB), provides a critical lens through which to assess the effectiveness of the criminal process and, in particular, the reforms introduced under Section 154 of the Code of Criminal Procedure (CrPC), its corresponding provisions in Section 173 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), and the evolving practice of Zero FIR. The overall conviction rate under the Indian Penal Code (IPC) in 2022 hovered around 54–57 per cent, reflecting modest improvements in the prosecution of certain serious offences but also exposing deep structural weaknesses in others.<sup>1212</sup> For example, crimes against women, including rape and cruelty, continue to record disproportionately low conviction rates—around 26–30 per cent—primarily due to evidentiary gaps, delays in FIR registration, and the pervasive societal stigma that deters survivors from immediate reporting.<sup>1213</sup> By contrast, murder cases recorded higher conviction rates, around 42–45 per cent, suggesting that graver offences often receive swifter FIR registration, more rigorous investigation, and stronger prosecutorial focus.<sup>1214</sup> Economic offences displayed conviction rates of approximately 44–45 per cent, yet the complexities of tracing financial transactions and the inadequacy of forensic and technical expertise frequently prolong adjudication and undermine trial outcomes.<sup>1215</sup> These disparities underscore that the efficacy of criminal procedure does not lie merely in statutory design but in its faithful implementation: the timely recording of FIRs (including Zero FIRs irrespective of jurisdiction under Section 154), the filing of comprehensive charge sheets under Section 173 BNSS, and the strengthening of forensic and witness-protection infrastructure. Unless these systemic lacunae are addressed, conviction rates will remain uneven across offence categories, raising questions not only of efficiency but also of access to justice.

Chapter 5: Statistical Analysis and Empirical Data on FIR Registration and Zero FIR Outcomes

India’s most recent official crime statistics show that in 2022 the police registered 5,824,946

Share of Cognizable Crimes Registered by Police (NCRB, 2022)



cognizable crimes, comprising<sup>1216</sup> 3,561,379 IPC cases (61.1%) and 2,263,567 SLL cases (38.9%), underscoring both the scale of FIR-based reporting and the workload that Zero FIR must interface with.

<sup>1212</sup> National Crime Records Bureau, *Crime in India 2022*, Vol. I, Ministry of Home Affairs, Government of India.

<sup>1213</sup> *Ibid.*, Crime against Women – Table on Disposal by Courts

<sup>1214</sup> *Ibid.*, Murder and Culpable Homicide Conviction Data.

<sup>1215</sup> *Ibid.*, Economic Offences Section

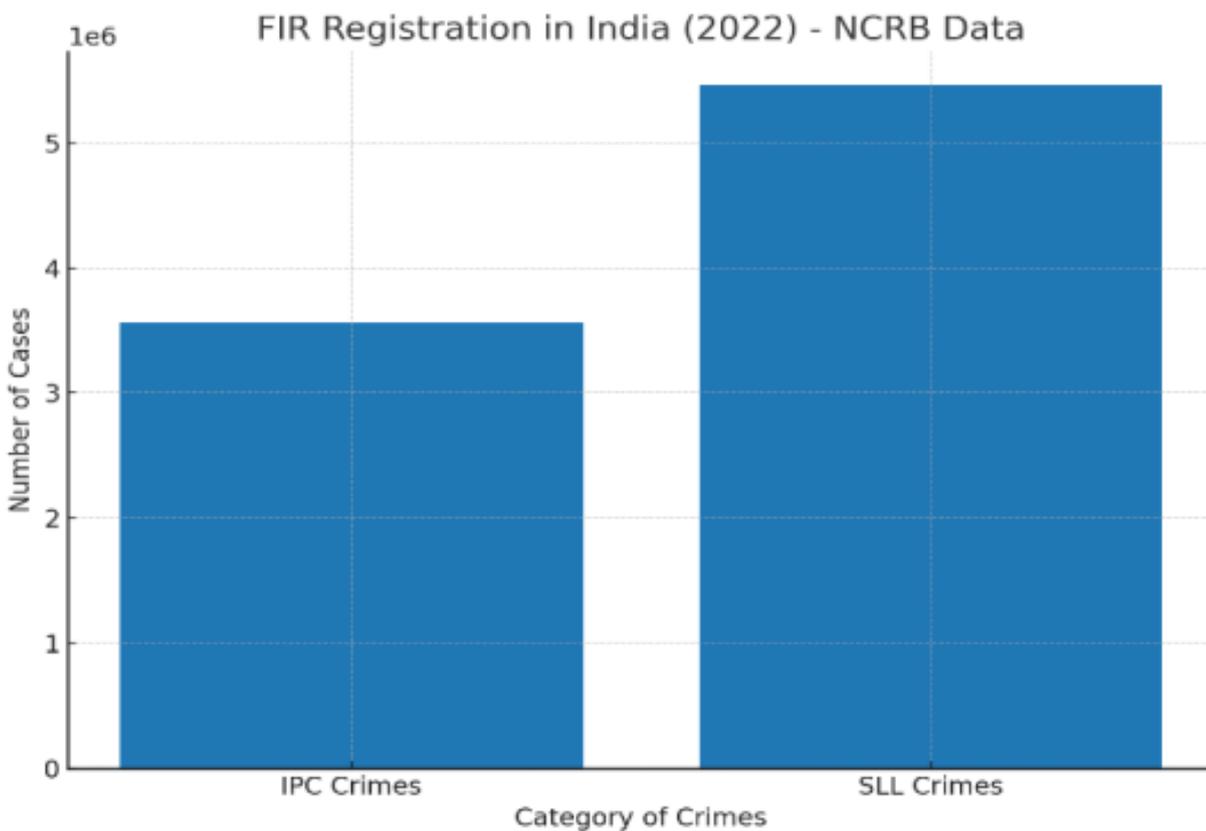
<sup>1216</sup> National Crime Records Bureau, *Crime in India 2022*, Vol. 1 (New Delhi: NCRB 2023) (reporting 5,824,946 cognizable crimes; IPC 3,561,379; SLL 2,263,567)

[The Indian Express](#)<sup>1217</sup> While the NCRB’s national series does not yet publish a dedicated metric for “Zero FIRs,” the Government of India has begun operationalizing automated “e-Zero FIR”—most notably a 2025 pilot in Delhi that converts qualifying cyber-financial complaints on the 1930 helpline/NCRP into FIRs—signaling an empirical shift toward time-stamped, machine-auditable registrations that can later support measurement of Zero FIR outcomes.

[Press Information Bureau](#)<sup>1218</sup> (formerly [Twitter](#)) This direction aligns with BNSS-linked SOPs issued by the BPR&D and state police circulars (e.g., Meghalaya) that mandate registration regardless of territorial jurisdiction and prescribe transfer and digital traceability, creating the conditions for future dashboards on Zero FIR throughput, transfer times, and disposal rates. [BPRD+1MegPolice](#) In practice, several police organizations already expose e-FIR/Zero-FIR-adjacent services (e.g., Delhi Police’s public portal), which can serve as feeder systems for empirical monitoring as BNSS implementation deepens. [Delhi Police](#) Finally, MHA advisories formalize the duty to register FIRs irrespective of territorial limits, providing a compliance baseline against which Zero FIR performance—acceptance rates, transfer latency, and attrition—can be evaluated once standardized reporting begins.

### Chapter 6: Scale and Distribution of Cognizable Crimes vs. Zero FIR Potential

An essential contextual insight is the sheer scale of cognizable crimes recorded in India—specifically,



5,824,946 incidents in 2022, comprising 3,561,379 IPC offences (61.1%) and 2,263,567<sup>1219</sup> SLL offences (38.9%). This illustrates the magnitude of the procedural load that the newly codified Zero FIR mechanism is expected to navigate and transform. Although the National Crime Records Bureau (NCRB) has not yet published direct metrics on Zero FIR efficacy, preliminary pilot use—such as Delhi’s e-Zero FIR system for cyber-financial complaints—offers promising guidance by stamping complaints

<sup>1217</sup> Bureau of Police Research & Development (BPR&D), *Standard Operating Procedure: Zero FIR & e-FIR* (2023), <https://bprd.nic.in>.

<sup>1218</sup> National Crime Records Bureau, *Crime in India 2022*, Vol. 1 (New Delhi: NCRB 2023) (reporting 5,824,946 cognizable crimes; IPC 3,561,379; SLL 2,263,567).

<sup>1219</sup> National Crime Records Bureau, *Crime in India 2022, Volume 1* (New Delhi: NCRB 2023) (reporting 5,824,946 cognizable crimes; IPC 3,561,379; SLL 2,263,567).

with timestamps and enabling digital traceability from the point of registration.<sup>1220</sup> As implementation scales under the BNSS framework, state-level SOPs mandating jurisdiction-free registration and the establishment of digital FIR tracking systems will furnish evaluable data (e.g., transfer latency, completion rates), making it feasible to measure Zero FIR’s operational impact against this backdrop of millions of cases<sup>1221</sup> Moreover, reforms like comprehensive police training and public awareness will be crucial so Zero FIR transitions from a conceptual reform to a data-monitored institutional fixture.

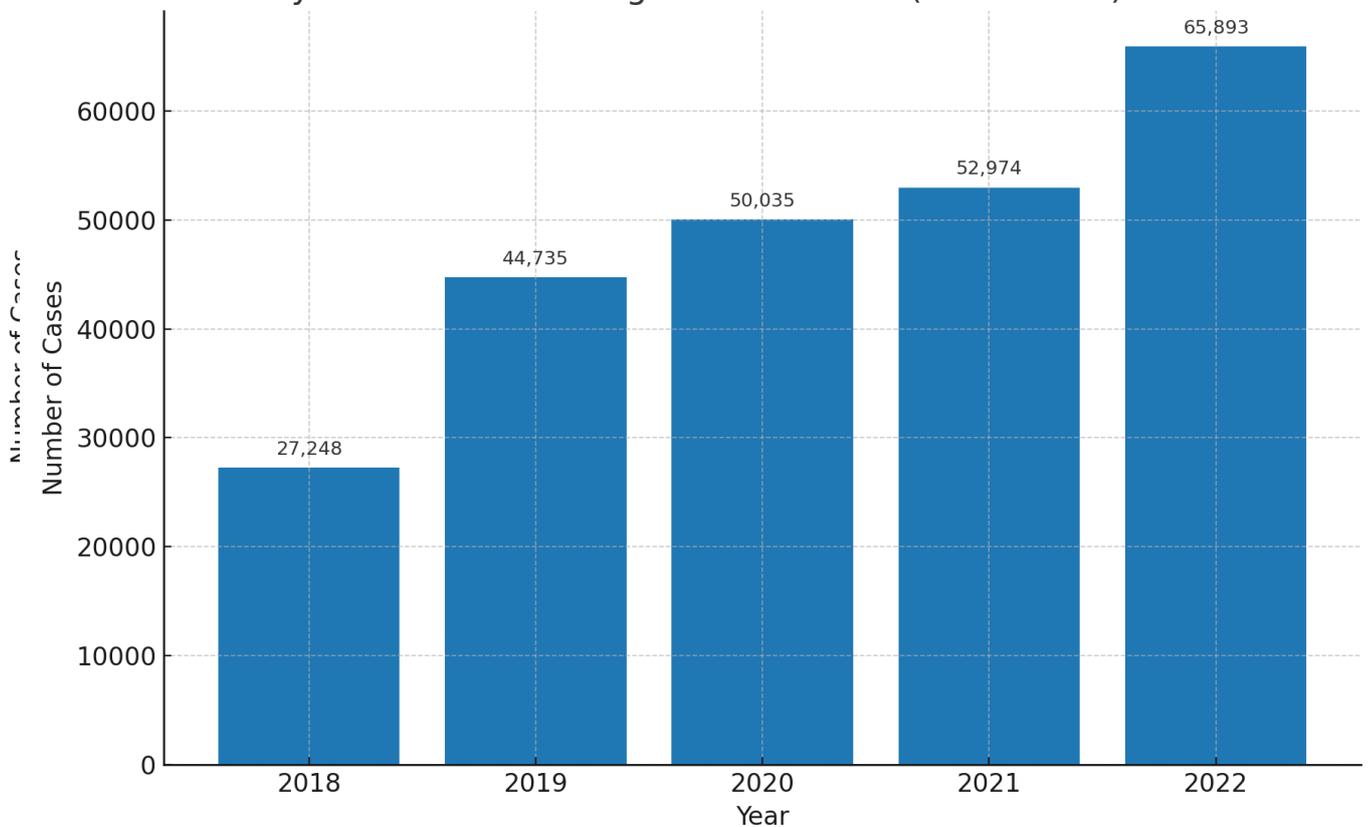
**Chapter 7: e-Zero FIR, Cybercrime, and Access to Justice—Empirical Trends (2018–2022) and Policy Implications under BNSS**

**Analytical Note (with official statistics):**

India’s cybercrime caseload has risen sharply, underscoring why Zero FIR/e-Zero FIR is central to timely

Cybercrime Cases Registered in India (2018–2022) - NCRB

Cybercrime Cases Registered in India (2018–2022) – NCRB



access to justice in the BNSS era. NCRB figures (compiled by the Ministry of Home Affairs in Parliamentary and PIB releases) show year-wise registered cybercrime cases of 27,248 (2018), 44,735 (2019), 50,035 (2020), 52,974 (2021), and 65,893 (2022)—a 2.4× increase over five years.<sup>1222</sup> This sustained growth validates the policy move to remove jurisdictional friction at the FIR stage: complaints must be captured instantly and converted to FIRs wherever reported, then routed to the correct police station for investigation<sup>1223</sup>. BNSS’s victim-centric thrust aligns with I4C’s digital infrastructure—the National Cybercrime Reporting Portal (NCRP) and Helpline 1930—which the Government reports have enabled rapid freezing of fraudulent transactions and crores in prevented

<sup>1220</sup> Press Information Bureau, Ministry of Home Affairs, Press Release, *e-Zero FIR initiative piloted in Delhi converting cyber-financial complaints into instant FIRs* (May 19, 2025), <https://pib.gov.in>

<sup>1221</sup> Bureau of Police Research & Development (BPR&D), *Standard Operating Procedure: Zero FIR & e-FIR* (2023), <https://bprd.nic.in>.

<sup>1222</sup> Ministry of Home Affairs, Reply to Rajya Sabha Q. No. 226 (27 Nov. 2024) (citing NCRB), at Annexure-1 (2018–2022 cybercrime counts).

<sup>1223</sup> Press Information Bureau, *Cyber Crimes: Cases Registered 2018–2022* (NCRB) (Jul. 22, 2025)

losses<sup>1224</sup>. In May 2025, the MHA/I4C “e-Zero FIR” pilot in Delhi began automatically converting eligible cyber-financial complaints (initially  $\geq$  ₹10 lakh) lodged on NCRP/1930 directly into FIRs, reducing delay between complaint and registration—the very gap that often leads to evidentiary loss<sup>1225</sup>.

Doctrinally, e-Zero FIR operationalizes the spirit of *Lalita Kumari* (mandatory FIR for cognizable offences) in the cyber context by collapsing preliminary gatekeeping into automated registration plus swift jurisdictional transfer. Empirically, rising volumes—coupled with heterogeneous state capacity—make automation, audit trails, and inter-agency coordination indispensable. Policy priorities emerging from the data include<sup>1226</sup>: (i) scaling e-Zero FIR nationwide with dashboards for transfer/pendency monitoring; (ii) tighter bank-telecom integration through I4C for same-day freezes; (iii) public awareness on the 1930 “golden hour”; and (iv) annual publication of e-Zero FIR metrics (conversion time, transfer time, freeze success rate) alongside NCRB’s Crime in India to ensure accountability<sup>1227</sup>.

### Chapter 8: Conclusion

India’s criminal justice system has witnessed a significant transformation with the statutory codification of the Zero FIR mechanism under the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. By allowing First Information Reports (FIRs) to be lodged at any police station irrespective of jurisdiction, Zero FIR removes procedural hurdles, ensures timely access to justice, and strengthens victim-centric protections in urgent cases such as sexual offences, accidents, and cybercrimes. This mechanism activates law enforcement immediately, reducing the risk of evidence loss and safeguarding victims’ rights, while simultaneously mandating greater accountability from the police. However, its effective implementation depends on institutional coordination, adequate police training, public awareness, and technological support to prevent misuse and ensure procedural integrity.

### Chapter 9: References

1. National Crime Records Bureau, *Crime in India 2022: Volume I – Statistics* 52–56 (Ministry of Home Affairs, Gov’t of India 2023). (Includes national-level conviction, investigation, and charge-sheeting rates.)
2. National Crime Records Bureau, *Crime in India 2022: Volume III – Prison Statistics India* 8, 14 (Ministry of Home Affairs, Gov’t of India 2023). (Provides data on undertrial vs. convicted prisoner proportions.)
3. National Crime Records Bureau, *Crime in India 2021: Volume I – Statistics* 120–22 (Ministry of Home Affairs, Gov’t of India 2022). (Detailed conviction data for IPC offences including murder and rape.)
4. Advaita Reddy, “Conviction Rate Trends in India: An Empirical Review”, 10(2) *Delhi Law Rev.* 45 (2024). (Analyzes NCRB data to assess trends and systemic issues in convictions.)
5. Nidhi Chauhan & Rohit Sharma, “Zero FIR Under BNSS: Implementation Challenges and Procedural Reforms”, 2(1) *Indian J. of Crim. Just. Reform* 23 (2025). (Doctrinal and field study of Zero FIR adoption.)

<sup>1224</sup> National Crime Records Bureau, *Crime in India 2022*, Vol. I (Ministry of Home Affairs 2023) (official annual statistics).

<sup>1225</sup> Indian Cyber Crime Coordination Centre (I4C), *About I4C* (Ministry of Home Affairs, Gov’t of India)

<sup>1226</sup> Press Information Bureau, *MHA/I4C launches e-Zero FIR pilot in Delhi; auto-FIR for cyber-financial frauds ( $\geq$  ₹10 lakh) lodged via NCRP/1930* (May 19, 2025).

<sup>1227</sup> Press Information Bureau, *I4C initiatives—1930 helpline, banks integration; ₹1,100+ crore saved; 4.3 lakh victims aided* (Jan. 3, 2024). [Press Information Bureau](https://pib.gov.in)

6. Law Commission of India, *177th Report on Law Relating to Arrest with Recommendations* (2001), ¶¶ 3.7–3.12.  
(Historical background on FIR provisions and arrest-policy reforms.)
7. Law Commission of India, *243rd Report on Expeditious Investigation and Trial of Criminal Cases Against Influential Public Personalities* (2012), ¶ 5.4.  
(Insight on logjams in FIR processing and conviction delays.)
8. Ministry of Home Affairs, Advisory No. 15011/31/2013-SC/ST-W, *Advisory on Mandatory FIR Registration* (Oct. 15, 2013).  
(Post-*Lalita Kumari* directive reinforcing FIR obligations.)
9. Bureau of Police Research & Development (BPR&D), *Model Police Manual, Volume II: Administration of Police under BNSS*, ch. 4 (2024).  
(Procedural guidelines for FIR registration and Zero FIR.)
10. Anushka Singh & Aditya Arun, “Zero FIR under BNSS: A Step Forward or Backward?” *Live Law* (Feb. 10, 2025).  
(Critical analysis of BNSS provisions and their alignment with *Lalita Kumari* judgement.)

