



CHANDIGARH
POLICE

OFFICE OF THE DIRECTOR GENERAL OF POLICE, UT CHANDIGARH
ADDL. DELUX BUILDING, SECTOR-9, CHANDIGARH-160009

STANDING ORDER No. 41/2022

Subject: Procedure of evidence collection in criminal case investigation- reg.

In pursuance of order dated 20.04.2021 passed by the Hon'ble Supreme Court of India in the Suo Motu Writ (Criminal) No(s). 1 of 2017 -- to issue certain guidelines regarding inadequacies and deficiencies in criminal trials, the following suitable steps to incorporate the draft rules relating to (1) Body sketch to accompany medico-legal certificate, post-mortem report and inquest report --[Draft Rule No. 1]; (2) Photographs and Videographs of post mortem in certain cases [Draft Rule No. 2] and (3) Scene Mahazar/ Spot Panchanama [Draft Rule No. 3] are to be taken:-

CHAPTER I:- INVESTIGATION

1. BODY SKETCH TO ACCOMPANY MEDICO LEGAL CERTIFICATE, POST MORTEM REPORT AND INQUEST REPORT: Every Medico Legal Certificate, Post Mortem Report shall contain a printed format of the human body on its reverse and injuries, if any, shall be indicated on such sketch. The printed format of the human body shall contain both a frontal and rear view of the human body.

2. PHOTOGRAPHS AND VIDEO GRAPHS OF POST MORTEM IN CERTAIN CASES

i. In case of death of a person in police action [under Section 46 Criminal Procedure Code, 1973("Cr.PC") or Sections 129 to 131 Cr.PC] or death while in police custody, the magistrate or the Investigating Officer as the case may be, shall inform the hospital or doctor in charge to arrange for photographs or videography for conducting the post-mortem examination of the deceased. The photographs of the deceased shall also be arranged to be taken in all cases.

ii. Such photograph and video graphs shall be taken either by arranging a police photographer or a nominated photographer of the State Government, and where neither of the above are available, an independent or private photographer shall be engaged.

iii. Such photographs or video graphs shall be seized under a panchnama or seizure memo and all steps taken to ensure proper proof of such photographs/video graphs during Trial.

iv. The Investigating Officer shall ensure that such photographs and videographs, if taken electronically, are seized under a panchnama or seizure memo and steps are taken to preserve the original, and ensure that certificate under Section 65B Indian Evidence Act, 1872 is obtained and taken to be proved during trial.

v. The video or photographs shall be stored on a separate memory card, accompanied by a duly certified certificate under Section 65B Indian Evidence Act, 1872.

vi. Where post-mortems are recorded in electronic form, the file containing the post-mortem proceedings, duly certified, should be placed with the memory card as an attachment unless individual memory cards are not capable of being produced before Court.

3. SCENE MAHAZAR/SPOT PANCHANAMA

i. A site plan of the place of occurrence of an incident shall be appended by the Investigating Officer to the scene mahazar or spot panchnama.

ii. The site plan shall be prepared by the Investigating Officer by hand, and shall disclose

a. the place of occurrence,

b. the place where the body (or bodies) was / were found,

c. the place where material exhibits and/or weapons,

d. blood stains and/or body fluids had fallen,

e. the place where bullet shells, if any, were found or have caused impact,

f. the source of light, if any and

g. adjoining natural and man-made structures or features such as walls, pits, fences, trees/bushes, if any and

h. elevation of structures and their location.

iii. The preparation of this sketch by the Investigating Officer shall be followed by a scaled site plan prepared by police draftsman, if available, or such other authorized or nominated draftsman by the State Government, who shall prepare the scaled site plan after visiting the spot.

iv. The relevant details in the mahazar or panchnama shall be marked and correlated in the said site plan.

4. SUPPLY OF DOCUMENTS UNDER SECTIONS 173, 207 AND 208 Cr.P.C.

Every Accused shall be supplied with statements of witness recorded under Sections 161 and 164 Cr.P.C. and a list of documents, material objects and exhibits seized during investigation and relied upon by the Investigating Officer (I.O) in accordance with Sections 207 and 208, Cr.P.C. Explanation: The list of statements, documents, material objects and exhibits shall specify statements, documents, material objects and exhibits that are not relied upon by the Investigating Officer.

All SDPOs and SHOs, are hereby, directed to ensure necessary compliance accordingly.

(Kuldeep Singh Chahal, IPS)
Sr. Superintendent of Police,
for Director General of Police,
UT, Chandigarh.

No. 4671-4725/UT/HAC dated Chandigarh the: 15.06.2022

A copy is forwarded to the following for necessary action:-

1. All SDPOs.
2. All DSsP
3. All SHOs and PPs
4. Rd. to W/DGP/UT, IGP, SSP/UT, SP/City, W&CSU, CCIC, EOW, Oprs. and SP/Crime, Hqrs. (for information).

1/c Computer Br (upload the same on the official website of chd Police)