



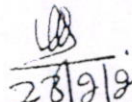
CHANDIGARH
POLICE

OFFICE OF THE SENIOR SUPERINTENDENT OF POLICE UT CHANDIGARH
ADDL. DELUX BUILDING, SECTOR-9, CHANDIGARH-160009

CIRCULAR

GUIDELINES/PROCEDURAL MECHANISM FOR INVESTIGATION OFFICERS IN
CRIMINAL CASES CULMINATING IN ACQUITTAL OF ACCUSED.

The instructions/guidelines/procedure issued vide Standing Order No. 64/2014, No. 14633-63/UT/E-6 dated 18.03.2014 and General reasons for Acquittal of accused in Criminal Cases and Suggestions to improve the quality of investigation in Criminal Cases received from the Principal Secretary Law, Chandigarh Administration vide its memo No. LDE-(2/2017/87)-2020/1483-84 dated 29.01.2020, further the same endorsed to all concerned for ensuring meticulous compliance vide this office endst. No. 1387/UT/HAC dated 26.02.2020, are hereby reiterated, for necessary action and strict compliance accordingly.


28/2/21
(Kuldeep Singh Chahal, IPS)
Senior Superintendent of Police,
UT, Chandigarh.

No. 1357-1400/UT/HAC, dated, Chandigarh the: - 23-02-2021
Copy to

1. All SDPOs
2. All SHOs and I/C PPs
3. Reader to W/DGP, DIGP, SSP/UT, SSP/Sec.& Tr.
4. I/C Computer Section to upload the same on the website of Chandigarh Police.

Enclosed:- As above.

Hr Sanjay Kumar to upload on website PP.
Kuldeep
InsP
I/c Com Sec
24/02/2021

STANDING ORDER NO. 64/2014.

GUIDELINES/PROCEDURAL MECHANISM FOR INVESTIGATION OFFICERS IN
CRIMINAL CASES CULMINATING IN ACQUITTAL OF ACCUSED.

The hon'ble Supreme Court in Criminal Appeal No. 1485 of 2008 has observed that on completion of the investigation in a criminal case, the prosecuting agency should apply its independent mind and require all shortcomings to be rectified, if necessary by requiring further investigation. It should also be ensured that the evidence gathered during investigation is truly and faithfully utilized, by confirming that all relevant witnesses and materials for proving the charges are conscientiously presented during the trial of a case. Every acquittal should be understood as a failure of the justice delivery system, in serving the cause of justice. It is made essential that every State should put in place a procedural mechanism and to examine all orders of acquittal and to record reasons for the failure of each prosecution case. A standing committee of senior officers of the police and prosecution departments, should be vested with aforesaid responsibility. The consideration at the hands of the above committee, should be utilized for crystallizing mistakes committed during investigation and/or prosecution.

In compliance of above recommendations of Hon'ble Supreme Court, a special committee consisting of DSP/Crime, DSP of the concerned area and a Magistrate, constituted to examine the matters culminating in acquittal of the accused in a criminal case due to the investigation lapse/failure. The committee so constituted shall be vested with following responsibility/duties:-

- 1) The committee shall examine all orders of acquittal of accused in criminal cases and record reasons for the failure of each prosecution case.
- 2) The investigation officer responsible for such acquittal, shall be identified by the committee and findings needs to be recorded in each case, whether the lapse was innocent or blameworthy.
- 3) This committee would propose the departmental action for each erring investigating officer, responsible for failure of a prosecution case, on account of sheer negligence or because of culpable lapses so as to ensure the seriousness in investigation duties.