

CRIMINAL INVESTIGATION

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STAGE 1: REGISTRATION OF FIR

- Filing of Complaint – Oral/Written/National Portal (Cyber Crimes)/Nodal agencies (1098 – Child helpline)
- 156. Police officer's power to investigate cognizable case. [\(1\)](#) Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.
- Preliminary Inquiry - (Section 498A); Mediation
- Registration of FIR – Complaint must make out a cognizable offense; Otherwise, the police would issue an NCR with reasons.
- Police Case Diary ; Copy of FIR handed over to Complainant; If it's a written complaint, retain a copy.
- Section 197 CrPC – FIR against a public servant in their official capacity (Prior sanction from their concerned department)

RIGHTS OF AN ACCUSED

- Right to get bail
- Right to be furnished documents – FIR, Charge Sheet
- Right to be produced before magistrate within 24 hours of arrest
- Right to legal aid
- Right against self incrimination

ARREST AND BAIL

- Anticipatory and Regular
- Bailable and Non-bailable
- Station and Court Bail
- Arrest – Police and Judicial Custody (Remand)

FIRST INFORMATION REPORT
(Under Section 154 Cr.P.C.)

(सार 154 टिप्पणी अधिनियम के तहत)

1. District (ज़िला): SOUTH DELHI		P.S.(थान): HAUZ KHAS		Year(वर्ष): 2018		FIR No(पु.बु.नं.): 0161		Date (दिनांक): 11/07/2018	
2. Act(s)(अवधि)		Section(s)(भाग/टी)							
1. IPC 1860		420							
3. Occurrence of offence (अपराध की घटना):									
(a) Day(दिन):		Date From(दिनांक से):		Date To(दिनांक तक):					
Time Period (समय अवधि):		Time From (समय से):		Time To (समय तक):					
(b) Information received at P.S.(थाना कहा चुकना प्राप्त हुई):				Date(दिनांक): 11/07/2018		Time (समय): 16:15 hrs			
(c) General Diary Reference (रिजिस्ट्रार का संदर्भ):				Entry No.(एंट्री नं.): 013A		Time (समय): 16:15 hrs			
4. Type of Information (चुपचाका): WRITTEN									
5. Place of Occurrence (स्थान/स्थान):									
(a) Direction and Distance from P.S (थाना से दूरी और दिशा):				Beat No(बीट नं.): 816701706					
(b) Address(पता):									
(c) In case, Outside the limit of the Police Station (जहाँ थाना सीमा के बाहर है):									
Name of P.S(थाना का नाम):				District(ज़िला):					
6. Complainant / Informant (शिकायतकर्ता/चुपचाकर्ता):									
(a) Name(नाम): CHINMOY PRADIP SHARMA				Nationality (राष्ट्रीयता): INDIA					
(b) Date/Year of Birth (जन्म तिथि /वर्ष):				Date of Issue (जारी करने की तिथि):					
(c) Passport No.(पासपोर्ट नं.):				Place of Issue (जारी करने का स्थान):					
(d) Occupation (व्यवसाय):									
(e) Address(पता): A 71, GULMOHAR PARK, HAUZ KHAS, SOUTH, DELHI, INDIA									
7. Details of Known/Suspected/Unknown accused with full particulars(attach separate sheet if necessary)(ज्ञात/संदिग्ध/अज्ञात अभियुक्त का पूरा विवरण सहित वर्णन):									
1. SUNIL SAMUEL		PRESENT - PS, DIST, STATE; PERMANENT - PS, DIST, STATE, .							
8. Reasons for delay in reporting by the complainant/informant (शिकायतकर्ता / चुपचाकर्ता द्वारा रिपोर्ट देती से देर करने के कारण):									
NO DELAY									
9. Particulars of properties stolen/involved (attach separate sheet if necessary) (संबन्धित वस्तुओं का विवरण):									
SL.No. (नं.नं.)		Property Type(Description)		Est. Value(Rs.(रुपय [₹] में))		Status			
10. Total value of property stolen (जोरी हुई वस्तुओं का कुल मूल्य):									
11. Inquest Report / U.D. Case No., if any (मृत्यु जाँच रिपोर्ट / यू.डी. केस नं., यदि कोई):									

PANCHNAMA

- Visiting the scene of crime
- Five witnesses signatures have to be taken
- Incident is described in detail
- IO and SI will sign the same

WITNESS STATEMENTS

- **Section 161 in The Code Of Criminal Procedure, 1973**
- 161. Examination of witnesses by police. [\(1\)](#) Any police officer making an investigation under this Chapter, or any police officer not below such rank as the State Government may, by general or special order, prescribe in this behalf, acting on the requisition of such officer, may examine orally any person supposed to be acquainted with the facts and circumstances of the case.
- [\(2\)](#) Such person shall be bound to answer truly all questions relating to such case put to him by such officer, other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.
- [\(3\)](#) The police officer may reduce into writing any statement made to him in the course of an examination under this section; and if he does so, he shall make a separate and true record of the statement of each such person whose statement he records.

CONFESSSIONAL STATEMENTS

- 164. Recording of confessions and statements. [\(1\)](#) Any Metropolitan Magistrate or Judicial Magistrate may, whether or not he has jurisdiction in the case, record any confession or statement made to him in the course of an investigation under this Chapter or under any other law for the time being in force, or at any time afterwards before the commencement of the inquiry or trial: Provided that no confession shall be recorded by a police officer on whom any power of a Magistrate has been conferred under any law for the time being in force.
- [\(2\)](#) The Magistrate shall, before recording any such confession, explain to the person making it that he is not bound to make a confession and that, if he does so, it may be used as evidence against him; and the Magistrate shall not record any such confession unless, upon questioning the person making it, he has reason to believe that it is being made voluntarily.

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SUMMON PRODUCTION OF DOCUMENTS

- 91. Summons to produce document or other thing. [\(1\)](#) Whenever any Court or any officer in charge of a police station considers that the production of any document or other thing is necessary or desirable for the purposes of any investigation, inquiry, trial or other proceeding under this Code by or before such Court or officer, such Court may issue a summons, or such officer a written order, to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce it, or to produce it, at the time and place stated in the summons or order.
- [\(2\)](#) Any person required under this section merely to produce a document or other thing shall be deemed to have complied with the requisition if he causes such document or thing to be produced instead of attending personally to produce the same

FORENSIC SCIENCE LABORATORY

- DNA Samples
- Signature and handwriting verification
- Media file verification

PROPERTY SEIZURE

- Section 102 of CrP.C.
- Section 34 , PCA . General power of seizure for examination.—Any police officer above the rank of a constable or any person authorised by the State Government in this behalf, who has reason to believe that an offence against this Act has been or is being, committed in respect of any animal, may, if in his opinion the circumstances to require, seize the animal and produce the same for examination by the nearest magistrate or by such veterinary officer as may be prescribed, and such police officer or authorised person may, when seizing the animal, require the person in charge thereof to accompany it to the place of examination.

PROPERTY SEIZURE

- Rule 3 and 4 of the PCA (Care and Maintenance of Case Property Animals) Rules, 2017
- Seizure of wildlife or wildlife articles under Wildlife Protection Act, 1972
- 50. Power of entry, search, arrest and detention.—[\(1\)](#) Notwithstanding anything contained in any other law for the time being in force, the Director or any other officer authorised by him in this behalf or the Chief Wild Life Warden or the authorised officer or any forest officer or any police officer not below the rank of a sub-inspector, may, if he has reasonable grounds for believing that any person has committed an offence against this Act,—[\(a\)](#) require any such person to produce for inspection any captive animal, wild animal, animal article, meat, 1[trophy, uncured trophy, specified plant or part or derivative thereof] in his control, custody or possession, or any licence, permit or other document granted to him or required to be kept by him under the provisions of this Act;
- [\(4\)](#) Any person detained, or things seized under the foregoing power, shall forthwith be taken before a Magistrate to be dealt with according to law

POLICE REPORT

- 173. Report of police officer on completion of investigation. [\(1\)](#) Every investigation under this Chapter shall be completed without unnecessary delay.
- [\(2\)](#) (i) As soon as it is completed, the officer in charge of the police station shall forward to a Magistrate empowered to take cognizance of the offence on a police report, a report in the form prescribed by the State Government, stating- [\(a\)](#) the names of the parties;
- [\(b\)](#) the nature of the information;
- [\(c\)](#) the names of the persons who appear to be acquainted with the circumstances of the case;
- [\(d\)](#) whether any offence appears to have been committed and, if so, by whom;
- [\(e\)](#) whether the accused has been arrested;
- [\(f\)](#) whether he has been released on his bond and, if so, whether with or without sureties;
- [\(g\)](#) whether he has been forwarded in custody under section 170. [\(ii\)](#) The officer shall also communicate, in such manner as may be prescribed by the State Government, the action taken by him, to the person, if any, by whom the information relating to the commission of the offence was first given.

POLICE REPORT

- C Report
- B Report

CHALLENGE OF POLICE REPORT

- [\(8\)](#) Nothing in this section shall be deemed to preclude further investigation in respect of an offence after a report under sub- section (2) has been forwarded to the Magistrate and, where upon such investigation, the officer in charge of the police station obtains further evidence, oral or documentary, he shall forward to the Magistrate a further report or reports regarding such evidence in the form prescribed; and the provisions of sub- sections (2) to (6) shall, as far as may be, apply in relation to such report or reports as they apply in relation to a report forwarded under sub- section (2).

CRIMINAL TRIAL

- Cognizance by Magistrate – Speaking Order (Prosecution has opportunity to be heard); Crime to Criminal Case
- Summons to Accused to appear – Summons and Warrant Cases
- HBC
- Framing of Charge/ Plea
- Prosecution Evidence
- Section 313 Statement
- Defense Evidence
- Argument
- Judgment

QUESTIONS