

POLICE CIRCULAR ORDER NO. 275/1991

SUBJECT : Investigation of cases of dowry Death and Atrocity Death—Assistance to the H.A. & D.D. Establishment Staff by District Ss.P.

Officers of the H.A. & D.D. Establishment take over investigations important Dowry Death and Atrocity Death cases. All such cases are S.R. cases and triable by the Court of Session. Particularly in Dowry Death Cases, the victim can no longer speak and the other witnesses to the occurrence leading to death are the husband and in-laws, who are the accused in these cases. Similarly, in Atrocity Deaths, the villagers usually gang up and threaten witnesses into silence. I.Os. in such cases have to primarily depend on material evidence to charge the accused, as oral evidence is not easily available. Therefore, in such category of cases (in which death was due to urging, hanging, poisoning, assault etc.) Scientific Aids to investigation is to be pressed into service to obtain and utilise every relevant material object and indication, available at the spot.

To meet the above need, the I.Os. (inspectors) of the H.A & D.D. Establishment, who are being ordered to take over investigations of the above category of cases, have been directed to, at first meet the district S.P., discuss the case with him, secure the district order authorising investigation to be taken over from the local I.O. and then proceed to the spot alongwith the District F.S.L team, for conducting thorough spot visit and investigation.

Therefore, all the District Ss.Sp are instructed to promptly issue district orders, authorising the I.Os. of the H.A. & D.D. Establishment, immediately on being contacted by the H.A. & D.D. Staff (I.O.) and depute the district F.S.L. team alongwith the I.O. of the H.A. & D.D. Establishment, to be utilised in connection with investigation of such cases. This, however, does not mean that spot visit has to be held up till the I.O. from H.A. & D.D. Establishment arrives on the scene. In view of the known delay in receipt of S.R.I. (F.I.R.) and time taken for orders there on, the local I.O. should conduct spot visit immediately on registration of the case.

2. Instances of failure or delay on the part of the local I.O. in handing over the case records to the I.O. of the H.A. & D.D. Establishment have been brought to my notice. Such negligence on the part of the local I.O. or the district S.P. will be seriously reviewed, considering the heinous nature and social significance of these cases. Therefore, on being contacted by the I.O. of the H.A. & D.D. Establishment, the S.P. should ensure that all the case records are handed over by the local I.O. without any loss of time.

3. What is equally important in investigation of such category of cases is, prompt arrest of the accused persons (s), as the same is expected to have salutary social impact, apart from fulfilling the legal requirement. In this regard the local officers must co-operate with the H.A. & D.D. Officers in securing the arrest of the accused persons.

4. Similar proaptitude is expected in seizure of the Dowry properly involved in dowry death cases, the zima of which may be given to the parents/relatives of the victim with prayer to the Court to order transfer of the said property to the appropriate persons as per section 6 (3) of the D.P. Act.

The above instructions should be brought to the notice of all concerned and followed strictly with immediate effect.

Inspector-General of Police, CID, Crime,
Orissa,