

POLICE ORDER No. 106

Prompt writing and despatch of case diaries.

*Prompt writing and despatch of case diaries*—A number of important murder cases have recently ended in acquittal because it came to the notice of the trying court that (i) the diaries had been submitted with much delay by the Investigating Officer and (ii) the statement of witness had been recorded first in private note books and the case diaries written up after some time on the basis of the notes. Both the High Court and Sessions Courts have strongly depreciated such practice. It is, therefore, necessary to insist on strict compliance with the provisions of Police Manual Rule 164 (b) and 172. Cr. P. C. and ensure that they are followed to the letter and that case diaries are written from day and despatched with the utmost promptitude. Failure to do so without very strong and justifiable reasons should meet with severe disciplinary action.

In order to check the various malpractices connected with this most important police document the following procedure is laid down to be observed strictly in all district:—

(i) The despatch of all case diaries must be entered in the Despatch Register as well as the Station Diary. All case diaries must be sent in sealed covers. Every Investigating Officer should get a personal seal made with his initial. The expenditure on his account may be met from the district C. C. Grant.

(ii) If a Sub-Inspector is in the mufassil he must route his case diaries through the Police station. He should send the case diaries from the mufassil in a sealed cover with the address, and crime and diary numbers noted on the cover. The Station writer will put a despatch number and date on the envelope and note the crime and diary numbers in the Despatch Register and in the Station diary without examining the contents after satisfying himself and the seals are in tact.

(iii) Envelopes containing case diaries are to be opened personally by the Inspector, S. D. P. O.s and Supdt. of Police & not by writers any other Subordinate officials. These case diaries must be kept under lock & key by the superior officers. In this connection P. M. Rule 1010 (e) is also relevant.

(iv) A determined effort must be made to stamp out the widespread practice of anticipating case diaries. If due to pre-occupation, the Investigating Officer is not able to write the case diary on any particular day, he should note the fact and give reasons for the delay. Honesty in these matters would be far more effective in making the courts believe the police version of incidents than the attempt to present a false picture of punctuality by falsification of records.

*Overwritings and interpolations in case diaries*—Several structures have also been passed in judgement against Police Officers for overwriting and interpolations in case diaries. In future no overwriting will be permitted and if any mistake has to be rectified, the words should be neatly recorded through and corrections made in such a manner that there is no necessity for indulging in overwriting. If any alterations or additions have to be made in view of any *bonafied* omission in the diary of one day these should not be made in a manner that might look like interpolations. These alterations or additions should be indicated either at the end of the diary or at the beginning of the diary for the next day.

At the end of the case diary the Investigating Officer shall make a note of the action he proposes to take on the following day, such as :—

- (1) Examination of witnesses (names to given),
- (2) Looking up bad characters (names),
- (3) Despatching of exhibits to the Chemical Examiner,
- (4) Obtaining medical opinion regarding weapons or wounds,
- (5) Perusal of documents,
- (6) House searches,
- (7) Applications for warrant of arrest and processes under section 87 and 88 Cr. P. C.,
- (8) Consultation of the Crime Directory and other police records, and
- (9) Any other specific lines of investigation.

The object is that not only should the Investigating Officer systematically arrange his campaign of investigation but supervising officers would know what he proposes to do and it would, therefore not be necessary to issue innumerable routine instructions.

Manual reference

.. Rules 1010 (e) and 164 (b)

(Previous Police Order Reference No. 16 of 1954)]