

POLICE ORDER No. 261/79

SUBJECT—Seizure of the Postal documents by the police during investigation

It has been brought to my notice that the authorities of the Posts & Telegraphs Department are not making over any document to the police officers, which are required in connection with investigation of cases without the orders of the District Magistrates U/s. 92 Cr. P. C. which is invariably insisted upon by them. The correct position of the Law in this regard, as clarified by the Government, is that section 92 of the Cr. P. C. 1973 is applicable only to the postal documents : namely letters, telegrams, post cards, money-orders, parcels, etc. which are in the custody of the Posts and Telegraphs Department and not to other document or registers maintained in official course of business by that Department.

It is hereby clarified for the guidance of all police officers that an order of the District Magistrate u/s. 92 Cr. P. C. is necessary only for taking charge of postal documents like letters, post cards, telegrams, M. Os parcels, etc. from the custody of the Posts and Telegraphs Department and there is no legal bar for seizure of other official records/documents required in connection with investigation of cases by the police from the Post Offices U/s. 102, of the Cr. P. C. without any order from the District Magistrate u/s. 92 of the Code, 1973. (P. M. R. 165.)