

ORISSA POLICE

STATE HEADQUARTERS, CUTTACK

POLICE ORDER

No. 278/86

Dated 18th February 1986

Sub:— Instructions relating to registration and investigation of cases of the G. R. P. S. of other States reported in our G. R. P.Ss.

A lot of difficulties have been experienced due to transfer of G. R. P. cases from Orissa to the G. R. P. Ss. of bordering States on the point of jurisdiction, because, the Officers of G. R. P. S. of bordering states do not take any action on receipt of those cases on transfer from Orissa. As a result of this, cases are not investigated either by officers of G. R. P. Ss. of Orissa or Officers of G.R. P.Ss. of the bordering States and the criminals could not be tried and convicted. This encourages the criminals operating in Railways to become more daring in committing repeated crimes in moving trains. This has also more or less, intensified the railway crime situation. The law is specific and purposive to avoid this.

There is no legal anomaly whatsoever in doing so, in view of Sec. 156 (2) and Sec. 183 Cr. P. C. as according to Sec. 183, if an offence is committed in the course of performing a journey or voyage, it may be inquired into and tried by a court through or into whose local jurisdiction that person or thing passed in the course of that journey or voyage.

In order to have the cases effectively investigated it is desirable that the Os. I. C. of G. R. P. Ss. of Orissa should draw up F. I. Rs., when such cases are reported to them irrespective of the fact whether the occurrence took place elsewhere during the course of journey in moving trains and investigate into such cases promptly with the assistance of the local Police of bordering States. The officers of the G. R. P. Ss. of this State in the interest of the cases so registered, should not transfer such cases to the Os. I. C. of G. R. P. Ss. of bordering States, as such transfer of cases may not serve any purpose, rather it may give further scope and encouragement to the criminals operating in Railway to create problems both for the G. R. P. Ss. of Orissa and bordering States. In such matters the concerned Chief Judicial Magistrates of Orissa are to be kept informed about this.

It is therefore ordered that the Officers of G. R. P. S. of Orissa should register such cases and investigate them with the assistance of the local Police of the bordering States without transferring them to the Os. I. C. of G. R. P. Ss. of the bordering States.

This procedure, if followed sincerely would maintain harmony between G. R. P. Ss. of Orissa and of bordering States to a great extent. This issues with the approval of Government communicated in their letter No. P2R—1/86/5352/P., dated the 25th January 1986.

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Director General of Police, Orissa