CIRCULAR

No. 19 /2014

Subject:- Directions relating to the Investigation of Rape Cases.

The Hon'ble Supreme Court of India while hearing a Special Leave Petition (Crl.) 5073/2011 titled "State of Karnataka By Nonavinakere Police Vs. Shivanna @ Tarkari Shivanna" has issued the following important directions relating to investigation of Rape Cases:

1. Upon receipt of information relating to the commission of offence of rape, the Investigating Officer shall make immediate steps to take the victim to any Metropolitan/preferably Judicial Magistrate for the purpose of recording her statement under Section 164 Cr.P.C. A copy of the statement under Section 164 Cr.P.C. should be handed over to the Investigating Officer immediately with a specific direction that the contents of such statement under section 164 Cr.P.C. should not be disclosed to any person till charge sheet/report under Section 173 Cr.P.C. is filed.

2. The Investigating Officer shall as far as possible take the victim to the nearest Lady Metropolitan/preferably Lady Judicial Magistrate.

3. The Investigating Officer shall record specifically the date and the time at which he learnt about the commission of the offence of rape and the date and time at which he took the victim to the Metropolitan/Preferably Lady Judicial Magistrate as aforesaid.

4. If there is any delay exceeding 24 Hours in taking the victim to the Magistrate, the Investigating Officer should record the reasons for the same in the case diary and hand over a copy of the same to the Magistrate.

5. Medical Examination of the victim: Section 164 A Cr.P.C. inserted by Act 25 of 2005 in Cr.P.C. imposes an obligation on the part of Investigating Officer to get the victim of the rape immediately medically examined. A copy of the report of such medical examination should be immediately handed over to the Magistrate who records the statement of the victim under Section 164 Cr.P.C.

In view of above, it is directed that all concerned should follow the above said directions passed by Hon'ble Supreme Court of India meticulously.

(G.S.AWANA)
DEPUTY COMMISSIONER OF POLICE,
HEADQUARTERS: DELHI.

No. 3479-3654 /RB/PHQ dated Delhi, the 09-06-2014

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3. Addl. Commissioners of Police including Principal/PTC, Delhi.
4. All Deputy Commissioners of Police of Districts/Units including FRRO, Delhi/New Delhi.
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6. All ACsP in PHQ
7. ACP/IT Centre with the direction to upload the Circular in Intra DP net.
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