CIRCULAR

No. 44 /2011

Delhi Police

Subject: - Guidelines to be followed by the police while investigating incest rape cases.

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Detailed guidelines have been issued vide Standing No.303/09 and its Addendum dated 01.12.09 on various precautions to be taken while investigating of rape cases including sexual offences against minor child as per the requirements of law as well as in the light of the instructions of various courts. The Hon'ble Delhi High Court in the matter of Mahender Chhabra Vs. State of NCT of Delhi & Ors. (Writ Petition (Criminal) No.1242/03), on its Own Motion Vs. State & ors. (CWP 930/07) and Virender Vs. State of NCT of Delhi (Criminal Appeal No.121/08) has issued certain guidelines for the investigating officers in rape case particularly in the cases where the victim of sexual offence is minor child which have already been circulated through the above mentioned Standing Order.

In case FIR No. 141/2010 u/s 376/506 IPC PS Jahangir Puri (an incest rape case) titled as State V/s Ram Nath, the Court of Dr. Kamini Lau, ASJ-II North West, Rohini courts, while pronouncing judgment, observed that the guidelines issued in the case of Virender Vs. State of NCT Delhi in Crl. Appeal No. 121/2008, regarding handling the cases of child victim would regularly apply in the case of incest rape also.

Since, the directions of the Hon'ble High Court of Delhi has already been circulated to all concerned the same are hereby re-reiterated and may be followed in the incest rape cases also.

(R.S. CHAUHAN)
DY. COMMISSIONER OF POLICE
LEGAL CELL : PHQ : DEHLI.

No. 4368-4600 /Record Branch/PHQ, dated Delhi, the 15/9/ 2011.

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