

POLICE ORDER No. 281/86

SUBJECT—Instructions relating to Registration and Investigation of cases of G. R. P.-S. of other States reported in our G. R. P.-Ss.

Crime in Railways, are assuming alarming proportions. One reason for this has been confusion over the question of jurisdiction for registration and investigation of cases. Very often a lot of valuable time is wasted in deciding the jurisdiction which a P.-S. would have in respect of a case. Some time protracted correspondence is made in deciding where a case should be registered. It is needless to say all these result in delay in registration and investigation of cases making chance of detection of crime, recovery of property and apprehension of criminals very remote. The criminals take full advantage of the situation.

For ordinary crimes, the legal position is clear and that is if after registration of a crime, the place of occurrence is found outside jurisdiction of a P.-S., the case is to be transferred to the concerned police-station for further investigation and prosecution. The law, however makes an exception with respect of crimes committed in the course of performing a journey or voyage u/s 183, Cr. P. C. If an offence is committed in the course of performing a journey or voyage, it may be enquired into and tried by a court through or into whose local jurisdiction that person or thing passed in the course of their journey or voyage. In other words if a crime is committed in a running train, any P.-Ss. through which the passenger or the train passes can investigate and prosecution such cases if the place of occurrence is not clearly known and such a prosecution cannot be challenged by the question of jurisdiction. It may be noted here however, that report which clearly indicate place of occurrence to be outside the limits of a particular P. S. or the State would not be covered by this section.

In order to have the crimes in running trains investigated and prosecuted in our State by the G. R. P. provisions of section 183, Cr. P. C. as discussed above should be borne in mind by all concerned. For cases reported from running trains at G. R. P. in Orissa the following guide lines will be strictly followed.—

I. Our G. R. P.-S. should register cases and take up investigation covered u/s 183, C. P. Cr. i.e. in respect of crimes committed in running trains in which the place of occurrence is not clearly known or is vague. These cases would be investigated and prosecuted u/s 183, Cr. P. C. and shall not be transferred subsequently only on the joint or jurisdiction, even if the place of occurrence is finally found to be in some bordering states.

II. The G. R. P.-Ss. of Orissa, however need not pursue cases in which during course of investigation the place of occurrence is found to be beyond the bordering states say Uttar Pradesh, Tamilnadu, etc. In such cases even if place of occurrence is vague subsequently in course of investigation this is found to be beyond the bordering police-station for further investigation and prosecution, because it would not be practicable to pursue such cases in the court of law from Orissa.

III. As regards reports lodged at G. R. P.-Ss. in Orissa, where the place of occurrence mentioned is clearly outside the limits of Orissa, Say Kharagpur Railway Station, Tatanagar Railway Station Waltair Railway Station or between two stations falling outside Orissa border these will be transferred to the concerned Railway Station soon after registration and taking preliminary steps like apprehending the criminals, recovering stolen property, seizure, etc.

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