



Chandigarh Police

OFFICE OF THE DIRECTOR GENERAL OF POLICE, U.T., CHANDIGARH
ADDL. DELUXE BUILDING, SECTOR 9, CHANDIGARH - 160009

STANDING ORDER NO. 60/2024

Standard Operating Procedure for Preliminary Enquiry

A. Objective

The objective of this SOP is to conduct a thorough and unbiased preliminary enquiry in accordance with the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, ensuring adherence to legal standards and procedural guidelines.

B. Definitions

Preliminary Enquiry: An initial investigation to ascertain whether there exists a prima facie case for offences punishable for three years or more but less than seven years of imprisonment for proceeding with a full investigation.

C. Scope

Preliminary enquiry may be initiated for information relating to the commission of any cognizable offence, which is made punishable for three years or more but less than seven years.

The option for a preliminary enquiry is not available for offences mentioned in Sec 199(c). According to Section 199(c) of the Bharatiya Nayaya Sanhita (BNS), "any officer who fails to record any information given to him under sub-section (1) of section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in relation to cognizable offence punishable under section 64, section 65, section 66, section 67, section 68, section 70, section 71, section 74, section 76, section 77, section 79, section 124, section 143 or section 144, shall be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine."

Similarly, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, cannot be legally covered by this provision; therefore, in such cases, FIR should be registered without any preliminary enquiry, whatsoever.

D. Procedure

1. Receipt of Information:

1.1 Upon receipt of information (orally, in writing, via electronic means such as ICMS portal or through other means), the Officer in Charge of the Police Station should evaluate the nature and gravity of the alleged offence to determine the necessity of a preliminary enquiry.

1.2 If he/she determines the presence of a prima facie cognizable offence, immediate registration of a First Information Report (FIR) is mandatory.

2. Permission for Preliminary Enquiry:

2.1 The officer in charge of Police Station must obtain written authorization from a Deputy Superintendent of Police (DySP) before initiating a preliminary enquiry.

2.2 In cases where permission is withheld or not granted within 24 hours, the Officer in charge of Police Station must proceed with the registration of an FIR.

3. Assignment of Investigating Officer (IO)

The officer in charge of Police Station must appoint an Investigating Officer (IO) with appropriate jurisdiction and expertise to conduct the preliminary enquiry.

4. Conduct of Preliminary Enquiry

The IO should collect physical evidence, documents, and other relevant materials to ascertain whether a case is made out prima facie.

5. Preliminary Enquiry Report

The IO should prepare a preliminary enquiry report detailing:

- Facts of the case.
- Opinion on whether a cognizable offence is made out.
- Recommendations for further action, if necessary.

6. Timeframe

The preliminary enquiry must be completed within fourteen (14) days from its initiation, adhering strictly to the timeline.

7. Action

Based on the findings of the preliminary enquiry, appropriate actions such as FIR registration, initiation of a formal investigation, or closure of the enquiry are to be undertaken by the officer in Charge of Police Station, in accordance with the legal provisions.

E. Reporting and Documentation

The General Diary/Daily Diary is the record of all information received in a Police Station. All information/complaints (received orally, written, via

electronic communication or any other means) must be mandatorily recorded in the said Diary. The officer in charge of Police Station on ascertaining the nature and gravity of offence may proceed to conduct a preliminary enquiry (after permission) which must be duly recorded in the DDR. IO has to ensure that all steps taken during the preliminary enquiry are documented.

F. Responsibilities

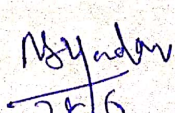
1. Officer in Charge of Police Station

- a) Maintain proper record of preliminary enquiries.
- b) Record the gist of the information in the general diary
- c) Decision to conduct a preliminary enquiry should be made on case to case basis, depending on the nature and gravity of offence. If, however, officer in charge of police station is convinced that a prima facie offence is made out then he/she must proceed with immediate registration of FIR.
- d) Obtain permission in writing from the jurisdictional Deputy Superintendent of Police to conduct a preliminary enquiry, recording the reasons why a preliminary enquiry needs to be conducted. If permission is denied or not granted or decision is not duly communicated by the approving authority within 24 hours, the Officer In Charge should proceed with the registration of the FIR.
- e) Ensure compliance with this SOP during the registration and enquiry process.
- f) Provide necessary support and resources for the effective implementation of this SOP

2. DySP

- a) DySP should grant permissions in writing within 24 hours of receiving the request from the Officer in Charge.
- b) He/she should oversee the conduct of the preliminary enquiry.
- c) DySP should provide guidance and support to the IO.

Issued for meticulous Compliance.


(Surendra Singh Yadav, IPS)
Director General of Police,
Union Territory, Chandigarh

No. 5500-49 /UT/HAC/Dated Chandigarh the:- 29.06.2024

- Copy to all concerned

