


MECHANISM FOR SUBMISSION AND RECEIVING OF REPORTS UNDER SECTION 173 CR.P.C.


Introduction

A mechanism is adopted by joint committee of police prosecution which is mandated to identify the areas for improvement of submission and receiving of reports under section 173 Cr.P.C. by the investigating officers to the concerned Prosecutors without prejudice to the requirements of respective statutes, rules, regulations, standing departmental instructions and the respective duties of police, Prosecutors, following mechanism shall be observed strictly:

- i. Every investigating officer shall submit report under section 173 Cr.P.C. within statutory period, as prescribed by the law, to the concerned Prosecutor during the working hours.
- ii. The concerned Prosecutor shall follow the procedure mentioned in the ***performance Standard Documents*** provided in the *Prosecution Guidelines* and shall issue an acknowledgment/receipt, duly signed by him, of receiving the report under section 173 Cr.P.C. The receipt shall contain the particulars of the report, total number of pages, documents annexed, any delay in submission of report and direction to the investigating officer to receive back report as directed by the concerned Prosecutor. If the Prosecutor does not issue the acknowledgement/receipt, the investigating officer may bring it into the notice of the District Public Prosecutor concerned in writing who shall ensure the issuance of the same.
- iii. If the concerned Prosecutor considers that the report is fit to be sent up for trial, who shall endorse the general number on the ***Road Certificate*** duly signed and stamped by him indicating that the report has been sent up for trial.

- iv. If the concerned Prosecutor finds the report defective, he shall mention all the objections raised on the basis of available record. The Prosecutor shall avoid raising objections in piecemeal way. While scrutinizing the report under section 173 Cr.P.C. the Prosecutor is duty bound to observe all the guidelines, instructions and directions provided in ***Code of Conduct for Prosecutors*** and ***Guidelines*** issued at various time.
- v. The concerned Prosecutor shall return back the report to the investigating officer for removal of the objections as early as possible, but not later than **03 days**. The investigating officer shall be duty bound to resubmit the report after rectifying/removing the objections as early as possible, but not later than **03 days** of the receipt of the objectionable report. If the investigating officer does not re-submit report after removing the objections within the stipulated period, the case shall be deemed to be under investigation. If the investigating officer fails to give satisfactory reasons for delay, the concerned Prosecutor shall recommend departmental action against the delinquent investigating officer.
- vi. On re-submission of report under section 173 Cr.P.C. by the investigating officer, if the Prosecutor finds that the objections have been removed satisfactorily, he shall proceed as mentioned in para-iii and handover the road certificate to the investigating officer immediately.


**Capital City Police Officer,
Lahore.**


**Prosecutor General,
Punjab.**

Dated: 18.04.2017



ڈسٹرکٹ پبلک پراسیکیوٹر

ضلع: _____

رسید وصولی چالان

تصدیق کی جاتی ہے کہ _____ (تفتیشی آفیسر) نے بذریعہ روڈ ٹریفکیٹ نمبری _____ مورخہ _____ رپورٹ زیر دفعہ 173 ض ف (عبوری / مکمل / نامکمل / تیمہ / اخراج / عدم پتہ / زیر دفعہ 512 ض ف / ڈسپارج) بابت مقدمہ نمبر _____ مورخہ _____ بجرم _____ تھانہ _____ امروز زیر دستخطی کو جمع کروادیا ہے جو کہ رجسٹر چالان میں سیریل نمبر _____ پر درج کیا گیا ہے۔ چالان ہذا بر مشتمل _____ صفحات _____ ضمنیات _____ دستاویزات ہے۔ چالان بروقت / _____ (یوم، ماہ، سال) کی تاخیر سے پیش کیا گیا ہے۔ چالان ہذا کی جانچ پڑتال اندر تین یوم کر لی جائے گی۔ لہذا تفتیشی آفیسر کو ہدایت کی جاتی ہے کہ اندر تین یوم زیر دستخطی سے رابطہ کرے تاکہ حسب ضابطہ مزید کارروائی کی جاسکے۔ تاخیر کی صورت میں معاملہ مجازا اتھارٹی کے سپرد کر دیا جائے گا۔

دستخط: _____

نام (پراسیکیوٹر) معہ عہدہ: _____

رابطہ نمبر: _____

مورخہ: _____