

No. IGP(A&T)/NCL(BNSS/BNA/BSA 2023)/28/2024/32
GOVERNMENT OF MIZORAM
POLICE HEADQUARTERS: AIZAWL

: Dated Aizawl, the 19th June, 2024.

STANDING ORDER NO. 3/2024

**STANDARD OPERATING PROCEDURE FOR RECORDING
STATEMENTS DURING INVESTIGATION**

**(A) Recording of statement U/S 180 of BNSS-2023, during the
course of investigation.**

Section 180 BNSS is corresponding to section 161 CrPC. For recording the statements during investigation, Investigating Officers must keep in view the following instructions-

- (i) The Investigation Officer (IO) may examine orally any person supposed to be acquainted with the facts and circumstances of the case.
- (ii) Such person shall be bound to answer truly all questions relating to such case put to him by the IO, other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.
- (iii) The police officer may reduce into writing any statement made to him in the course of an examination under this section; and if he does so, he shall make a separate and true record of the statement of each such person whose statement he records may also be recorded by audio-video electronic means.
- (iv) The investigating officer without any delay may also record the statement of the witness through audio-video electronic means, of the victim of an offence under section 64, section 65, section 66, section 67, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79 or section 124 of the Bharatiya Nyaya Sanhita, 2023 is alleged to have been committed or

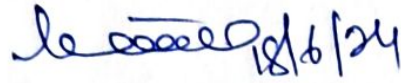
attempted, shall be recorded, by a woman police officer or any woman officer.

(B) Recording of statement before Judicial Magistrate U/S 183 of BNSS-2023 during the course of investigation.

Section 183 BNSS is corresponding to section 164 CrPC. For the getting the statements recorded under the above provision of law during investigation, Investigating Officers must keep in view the following instructions-

- (i) The investigating officer without any delay make request to the Magistrate to get recorded the statement of the victim in cases punishable under section 64, section 65, section 66, section 67, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79 or section 124 of the Bharatiya Nyaya Sanhita, 2023. Such statement of the victim is required to be recorded by a women magistrate or in her absence, by a male Magistrate in presence of a woman.
- (i) The investigating officers are further directed that the (statement U/s 183 of BNSS-2023) are required to be recorded for all the offences punishable with imprisonment for ten years or more or with imprisonment for life or with death, the Magistrate shall record the statement of the witness brought before him by the police officer.
- (ii) The investigating officers are further directed to submit an application before the Ld. Magistrate for the purpose of recording of statement of person who is temporarily or permanently, mentally or physically disabled, the Magistrate shall take the assistance of an interpreter or a special educator in recording the statement.
- (iii) The investigating officer are further directed to submit an application before the Ld. Magistrate for the purpose of recording of statement of person who is temporarily or permanently, mentally or physically disabled, the statement made by the person, with the assistance of an interpreter or a

special educator, shall be recorded through audio-video electronic means preferably by mobile phone.

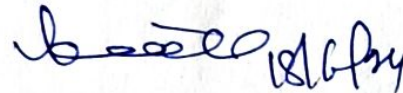


(LALBIAKTHANGA KHIANGTE), IPS
Director General of Police,
Mizoram, Aizawl.

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Copy to :

- 1) SO to DGP, Mizoram.
- 2) IGP(Hqrs)/IGP(L&O) for kind information.
- 3) DIG(NR)/DIG(SR0)/DIG(ER)/DIG(CID)/DIG(Trg.) Mizoram for kind information.
- 4) AIG(Hqrs)/AIG(Legal) Mizoram for kind information.
- 5) All District SPs, Mizoram, SP CID(Crime)/SP Cyber Crime/SP Narcotic for information and necessary action.



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