

Section of BNSS

336

**OFFICE OF THE DIRECTOR GENERAL OF POLICE
Andaman & Nicobar Islands**

Sri Vijaya Puram, dated the

**SOP ON EVIDENCE OF PUBLIC SERVANTS, EXPERTS, POLICE
OFFICERS IN CERTAIN CASES**

Introduction: This standard operating procedure under section 336 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 essentially deals with the admissibility of documents or reports prepared by public servants, experts, or police officers in the Court where the original preparer is unavailable, allowing for the testimony of their successor officers to maintain the continuity of evidence and prevent procedural delays, ensuring deposition of crucial evidences under stipulated time.

Section 336 of BNSS: Evidence of Public Servants, Experts, Police Officers in Certain Cases.

Where any document or report prepared by a public servant, scientific expert or medical officer is purported to be used as evidence in any inquiry, trial or other proceeding under this Sanhita, and—

- (i) such public servant, expert or officer is either transferred, retired, or died; or*
- (ii) such public servant, expert or officer cannot be found or is incapable of giving deposition; or*
- (iii) securing presence of such public servant, expert or officer is likely to cause delay in holding the inquiry, trial or other proceeding,*

the Court shall secure presence of successor officer of such public servant, expert, or officer who is holding that post at the time of such deposition to give deposition on such document or report:

Provided that no public servant, scientific expert or medical officer shall be called to appear before the Court unless the report of such public servant, scientific expert or medical officer is disputed by any of the parties of the trial or other proceedings:

Provided further that the deposition of such successor public servant, expert or officer may be allowed through audio-video electronic means.

Procedure:

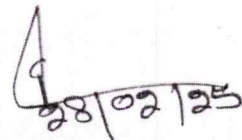
Where any document or report prepared by a public servant, expert or police officer is purported to be used as evidence in any inquiry, trial or

other proceedings under this Sanhita and the concerned public servant, expert or police officer is either transferred, retired, cannot be found, incapable of giving deposition, deceased or securing the presence of such officer is likely to cause delay in carrying out the inquiry, trial or other proceedings; then-

- i. If the summons issued to the concerned police personnel who has been transferred, retired, cannot be found, incapable of giving deposition in deposition or deceased, then the SHO/ OIC of such Police Station shall inform the concerned Court through petition about the concerned witness and shall made a prayer under this section of BNSS to allow the successor to adduce evidence.
- ii. The SHO/OIC of such Police Station shall also prayer to the Court that the deposition of evidence of such successor public servant witness, expert or police officer (if out of station) may be taken through audio-video electronic means.

All concerned are hereby directed for strict & meticulous compliance of this SOP.

This is issued with the approval of Competent Authority.



(Superintendent of Police)
Police Headquarters,
Andaman & Nicobar Islands.

To

1. All District Superintendents of Police
2. The Superintendent of Police (CID), Port Blair
3. Principal, PTS, Port Blair
4. All SDPOs/Dy.SsP
5. All SHOs and In-Charges Out Posts

Copy to:-

1. SO to DGP
2. SO to IGP
3. R to DIGP (HQ)
4. R to DIGP (L&O)

5. R to SP(HQ)
6. R to All District, SP's
7. R to Dy.SP(HQ)
8. R to All Dy.SP's
9. Home Inspector (PHQ)
10. In-charge, Computer Cell PHQ


28/02/25

(Superintendent of Police)
Police Headquarters,
Andaman & Nicobar Islands.