

To :

1. All Zonal Inspector(s) General of Police in Punjab.
2. All Range DIsG in Punjab.
3. All District Senior Superintendent(s) of Police in Punjab.

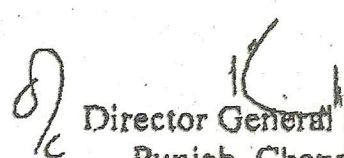
Subject : Enforcement of Supreme Court Guidelines while registering FIRs against Doctors.

Today (01-09-2009) office bearers of Indian Medical Association Punjab got on to the Police Headquarters and submitted a memorandum pertaining to registration of cases against doctors u/s 304/304-A IPC.

In this regard instructions have already been issued to all the Zonal IsGP, Range DIsG and District SsSP vide circular order No.1/2005 circulated vide endst. No.18172-95/CR/LA-1, dated 05.10.2005 by the office of Addl. DGP/Crime, Punjab about the guidelines which should govern the prosecution of doctors for offences of which criminal rashness or criminal negligence is an ingredient. In the Supreme Court judgment dated 05.08.2005 in Case No: Appeal (Cri) 144-145 of 2004 Jacob Mathew (Petitioner) Vs. State of Punjab & Anr (Respondent), it has been clearly directed that prior to registration of cases under the aforementioned sections against doctors, opinion from an authorized committee be taken on record to establish the culpability or otherwise against the concerned doctor.

The Association also brought to my notice that in the recent past 4 separate incidents, at Abohar, Bathinda, Doraha and Rampura Phul have taken place, in which the police has resorted to use of the sections of IPC mentioned above.

You are, therefore, directed to ensure that the guidelines/orders of the Hon'ble Supreme Court are meticulously complied with while investigating cases of medical negligence.

  
Director General of Police,  
Punjab, Chandigarh.

No. 19178 / CR/LA 3 Dated Chandigarh, the 1-9-09.

Copy of above is forwarded to the Additional Director General of Police, Crime, Punjab, for information and for ensuring compliance of Hon'ble Supreme Court's directives.