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2. Appendix

Questionnaires

Questions Asked to the Police Personnels

I am Dishamoni Gogoi, Student of LL.M. Department of Law, Tezpur University. I am conducting a research on “Examination of Witness by Police: A Study on Sonitpur District of Assam”. I would like you to kindly take out few minutes from your busy schedule to answer to these questions. The data obtained will be remaining confidential and it would be used only for academic purpose.

- 1) Section 161(1) of the Code of Criminal Procedure states that the Police officer can do oral examination of “any person” as witness. Who falls under the category of “any person”?
- 2) What is the meaning of “statement” mentioned under section 161 of the code?
- 3) Section 161 of the Code of Criminal Procedure also states that the witness is bound to answer truly all the questions truly which are asked to him. Do you think it violates the guidelines laid down by the Supreme Court in Nandini Sathpathy’s case?
- 4) Section 161(1) of the Code of Criminal Procedure states that the Police officer may write any statement made to him during examination. Although it gives discretionary power to the police, do you think it is very much necessary for the police authority to record each and every statements made in front of them?
- 5) In cases of women witnesses are they examined by women cop?
- 6) In cases of rape victim, in how many days the statements of the witness are taken?
- 7) Does the police authority follow the procedure laid down in the code in true sense?
- 8) Do you think credibility rate of police also creates hindrances in the process of examination of witness?
- 9) Do you think inclusion of Section 161 has aided in low conviction rate?
- 10) Do you think Section 161 of the Code should be amended?
- 11) Every year how much witness turns hostile? Is there any record for the same?
- 12) Do you think the witness protection scheme which is present, is sufficient?

Questions Asked to the Legal Personnels

I am Dishamoni Gogoi, Student of LL.M. Department of Law, Tezpur University. I am conducting a research on “Examination of Witness by Police: A Study on Sonitpur District of Assam”. I would like you to kindly take out few minutes from your busy schedule to answer to these questions. The data obtained will be remaining confidential and it would be used only for academic purpose.

- 1) Are there any differences between the statements made by the witness before the police as well as before the Magistrate? If yes, then in what type of cases?
- 2) The evidences which are collected under section 161 have what kind of evidentiary value?
- 3) Do you think section 161 is becoming a reason for low conviction rate?
- 4) Do the police follow the same procedure as laid in Section 161?
- 5) Do you think that an amendment is needed on part of Section 161?