

**INQUEST REPORT U/S 176 Cr.P.C**  
**(A pro-forma containing broad guidelines)**

[In a case of unnatural or suspicious death within the meaning of Sec. 174 (1) Cr.P.C where inquest been held by a competent Executive Magistrate.]

**1. Date, time and place when and where the Magistrate received intimation u/s 174 (1) Cr.P.C about the death.**

**2. The substance of the information obtained by him and from whom.**

**Note:** You may take the assistance of the Police Officer reporting the death with a view to informing the relatives of the deceased as required u/s 176 (4) Cr.P.C.

**3. The place where the dead body was found.**

**4. Inquest:**

- Commenced at \_\_\_\_\_ (Time) \_\_\_\_\_ (Date)
- Closed at \_\_\_\_\_ (Time) \_\_\_\_\_ (Date)

**5. Dead body identified by (their names and essential particulars) Relatives may identify. If relatives are not available, those who had known the deceased may identify.**

**6. Marks of identification, if any, such as moles, scars etc.**

**7. Name, parentage, sex, age, caste and residence of the deceased.**

**8. Relatives, if any, present, at the Inquest (their names, addresses and relationship with the deceased).**

**9. Names and other necessary particulars of two local and respectable witnesses in those presence the inquest was held (for Magisterial inquest, presence of witnesses to the inquest is not compulsory, though may be desirable).**

**10. Description of the corpse (after close observation, of all parts of body in good light, generally under sun light during the day time). Cavities such as those pertaining to Nose, mouth, Vagina etc. should be clearly examined.**

- Note down all relevant features, which include, among other things, the following:-
- Position and attitude of the body.
- Number, position, length, breadth and direction of wound(s) (not depth).
- Nature of wounds-incised, lacerated, bruises, fractures (so far they are visible on external examination and could be ascertained by a non-medical magistrate).
- Sign of ligature mark, if any.
- Signs of inflammatory reaction (swelling etc.) if any.
- Expression of countenance.
- Position of limbs, eyes, mouth.
- Presence of blood (liquid or clotted), saliva, froth, vomit, semen, swab etc. if any.
- Condition of clothes / ornaments.

**11. Is the body well nourished and vigorous or emaciated and weak ?**

**12. Viewing of the surrounding in their totality with the dead body lying therein**

- Note down the following among other things
- Marks of violence or struggle
- Articles such as rope, weapon, ammunition, instrument, phial, used cartridge, chemicals.
- Suicide note, if any.

- Foreign matters such as- weeds, straws etc. in their hair or clenched in the hands of the deceased or attached to part of the body.
- Are there circumstances available on the scene to show that the deceased killed himself?
- Do you notice anything in the surroundings to suspect foul play.

**13. Number and Names of the witnesses examined by the Magistrate and substance and weight of their Evidence.**

**Note:**

- The witnesses referred to in clause (13) above should be persons who appear to be acquainted with the facts and circumstances of the case, in other words, who may be in a position to throw light over the cause of death.
- The statement of the witnesses should be recorded separately.

**14. Opinion of the Magistrate as to cause of death as could be ascertained by him, based on his inspection of the scene, close examination of the dead body and evidence adduced in the witnesses.**

**15. Whenever there are wounds, fractures, bruises and other marks of injury as may be found on the body, the Magistrate should state in what manner or by what weapon or instrument, if any, such injuries / marks appear to have caused.**

**16. Sketch plan of the place where the dead body is found and photograph taken, if any.**

**17. Has the Magistrate held the inquest in addition to or in lieu of Police Investigation (Inquest) u/s 174/175 Cr.PC.**

**18. Upon a consideration of the totality of the material including the examination of the dead body, inspection of the scene and testimony of the witnesses are there grounds for suspecting foul play.**

**19. Is it a case where the person died in police custody or coming within clause (i) or clause (ii) of Sub-section 3 of Section 174 Cr.PC where Inquest by an Executive Magistrate is Mandatory?**

- 20. Action proposed to be taken, if any, in pursuance of the magisterial inquest (particularly if foul play is suspected or a crime appears to have been committed).**
- 21. Power of the Executive Magistrate competent to hold inquest.**
- He may issue process.
  - He may compel appearance of witnesses and production of things.
  - He may administer oath to witnesses.
  - He may record evidence in the form of statement of witnesses.
  - He may record confessions, even though not empowered u/s 164 Cr.PC.
  - He may order the dead body to be disinterred and examined.
  - DM or SDM may by general or special order, direct police not to hold inquest.

**Notes:**

- The proceeding conducted by an Executive Magistrate u/s 176 CrPC is an inquiry within the meaning of Sec. 2 (g) Cr.PC.
- Such a proceeding also answers the description of judicial proceeding "as defined in Sec. 2 (i) Cr.PC".
- The Executive Magistrate holding an inquest u/s 176 Cr.PC does not appear to be functioning as Court. The judicial decisions on this point are, however, conflicting.