



Chandigarh Police

OFFICE OF THE DIRECTOR GENERAL OF POLICE UT, CHANDIGARH

ADDL. DELUXE BUILDING, SECTOR 9, CHANDIGARH- 160009

STANDING ORDER No. 69/2024

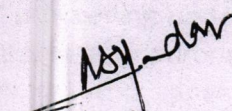
Standard Operating procedure (SOP) for execution of Summon, Warrants and Notice under section 63-82 of Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023.

Introduction: Consequent upon the enactment of "Bharatiya Nagarik Suraksha Sanhita" (BNSS) 2023, it has replaced the Criminal Procedure Code (Cr.P.C) 1973. There are various amendments made to the earlier Cr.P.C. These amendments are new to the investigation officers; hence a need arises to apprise the police officers for adopting the procedure for service of Summons, Warrant and Notice under the Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023 for the police officials of UT Chandigarh in order to have a uniform way of working.

1. **Notice for Appearance before Police Officer' [Section 35(3)]:** Police officer must ensure that a notice directing the person(s) against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists regarding the commission of a cognizable offence, provided that his/her arrest is not required immediately. The notice shall include specific details of the alleged offence, alongwith date, time and place for appearance before the police officer. Compliance of the notice is mandatory. Failure to comply the notice may result in arrest. A model format provided in the second schedule of the BNSS may be referred for issuance of the notice.
2. **Summons to Produce Document or Other Thing [Section 94]:** Any Court or any officer in charge of a police station considers that the production of any document, electronic communication, including communication devices which is likely to contain digital evidence or other thing is necessary or desirable, for the purposes of any investigation, inquiry, trial or for other proceeding, under this Sanhita by or before such Court or officer, such Court or officer may, by a written order, either in physical form or in electronic form, require the person in whose possession or power such document or thing is believed to be, to attend and produce it, or to produce it, at the time and place stated in the summons or order. Summons may be served personally or through electronic communication, as well. Service methods vary for corporate bodies, firms, and societies and should adhere to the prescribed guidelines.
3. **Police Officer's power to require attendance of witnesses [Section 179]:** Any police officer making an investigation may, by order in writing, require the attendance before himself of any person being within the limits of his own or any adjoining station who, from the information given or otherwise, appears to be acquainted with the facts and circumstances of the case and such person shall attend as so required. Payment of the reasonable expenses may be made to such person, for attending at any place other than his residence as per State Government may, by rules made in this behalf, if any. Certain exemptions apply to specific categories of individuals, such as minors (under the age of 15 years), elderly individuals (above the age of 60 years), women, mentally and physically disabled and individuals with acute illnesses. Such person(s) if willing to attend the police station or at any other place within the limits of such police station, such person(s) may be permitted so to do.
4. **Power to summon Persons [Section 195]:** A police officer proceeding under section 194 may, by order in writing, summon two or more persons for the purpose of the investigation. A police officer may summon any other person who appears to be acquainted with the facts of the case. Every person so summoned shall be bound to attend and to answer truly all questions subject to certain exemptions. Certain exemptions apply to specific categories of individuals, such as minors (under the age of 15 years), elderly individuals (above the age of 60 years), women, mentally and physically disabled and Individuals with acute illnesses.

5. **Service of Summons: Forms of Summons [Section 63]:** Every summons issued by a Court shall be in writing, in duplicate, signed by the presiding officer of such Court or by such other officer as the High Court may, from time to time, by rule direct, and shall bear the seal of the Court.
- **Methods of Service [Sections 64-71]:** Whenever possible, summons shall be served personally to the individual named. Every person on whom a summons is so served, if so required by the serving officer, may get sign on the back of the other duplicate summon. When persons summoned cannot be found, it may be served by leaving one of the duplicates for him with some adult member of his family residing with him. If service of summons, after exercise of due diligence, be effected, as provided in section 64,, 65, 66, the serving officer shall affix one of the duplicates of the summons to some conspicuous part of the house or homestead in which the person summoned ordinarily resides. Service of summons on Government servant shall be sent it in duplicate to the head of the office in which such person is employed. Service of summons outside local limits Procedures for serving summons outside the Court's local jurisdiction must be followed meticulously, ensuring proper documentation for proof of service.
6. **Warrant of Arrest [Section 72]:** Every warrant of arrest issued by a Court under shall be in writing, signed by the presiding officer shall bear the seal of the Court and it remain in force until canceled by the issuing court or executed
- **Execution of Warrants [Sections 73-81]:-** Warrants may be executed by police officers or authorized individuals, as directed by the court. In warrant for the arrest of any person, if such person executes a bond with sufficient sureties for his attendance before the Court at a specified time and thereafter until otherwise directed by the Court, the officer to whom the warrant is directed shall take such security and shall release such person from custody. Endorsement of warrant shall state number of sureties, amount and time at which such person is to attend before the Court. Whenever security is taken, the officer to whom the warrant is directed shall forward the bond to the Court. A warrant directed to any police officer may also be executed by any other police officer. Police office shall notify the substance of the warrant and, if so required, shall show him the warrant. Person arrested to be brought before Court without delay (such delay shall not, in any case, exceed twenty-four hours).
 - **Procedure on arrest of person against whom warrant issued [Sections 82]:** When a warrant of arrest is executed outside the district, the arrested person shall, if not, within thirty kilometers of the place of arrest or is nearer than the Executive Magistrate or District Superintendent of Police or Commissioner of Police within the local limits of whose jurisdiction the arrest was made, or unless security is taken under section 73, be taken before such Magistrate or District Superintendent or Commissioner. On the arrest of any such person, the police officer shall forthwith give the information regarding such arrest and the place where the arrested person is being held to the designated police officer in the district and to such officer of another district where the arrested person normally resides.
7. In view of above, all SDPOs/SHOs are hereby directed to ensure strict & meticulously compliance of above guidelines/procedure/ directions.

This SOP is subject to modifications on the basis of feedback from the investigating officers/ Supervisory officers.


(Surendra Singh Yadav, IPS)
Director General of Police
UT, Chandigarh

No. 11461-90 /UT/HAC/Dated Chandigarh the:- 27/11/2024

- Copy to all concerned

SLC Comp Section