



Chandigarh Police

**OFFICE OF THE DIRECTOR GENERAL OF POLICE, U.T., CHANDIGARH**  
**ADDL. DELUXE BUILDING, SECTOR 9, CHANDIGARH - 160009**

**STANDING ORDER NO. 63 /2024**

**Standard Operating Procedure for Arrest**

**1. Introduction**

This Standard Operating Procedure (SOP) explains the standard procedures to be adopted by police officers when exercising the power of arrest. The right of personal liberty is a basic human right, recognized by our constitution in Article 21. As such, the power of arrest has to be exercised with utmost caution and by the law.

**2. Purpose**

This SOP seeks to provide a complete set of rules and guidelines related to the exercise of the power of arrest by police officers of Chandigarh Police. It seeks to inform and educate the Investigation Officers about their statutory roles, responsibilities and obligations towards the person(s) arrested by them.

**3. Decision to Arrest**

- a. In cognisable offences punishable with imprisonment for a term more than seven years, any police officer can arrest a person, without warrant, against whom (i) he has received a credible information that he has committed such cognisable offence, and (ii) the police officer has reason to believe on the basis of such information that the said person has committed such offence.
- b. In cognisable offences punishable with imprisonment for a term less than or which may extend to seven years, notice under Section 35(3) has to be issued.

However, arrest can be made in cases referred in (b) above if police officer has reason to believe that such person has committed the said offence, and the police officer is satisfied that such arrest is necessary

- i. to prevent such person from committing any further offence; or
- ii. for proper investigation of the offence; or
- iii. to prevent such person from causing the evidence of the offence to disappear or tampering with such evidence in any manner; or

iv. to prevent such person from making any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the police officer; or

v. as unless such person is arrested, his presence in the Court whenever required cannot be ensured.

The police officer shall record while making such arrest, his reasons in writing in the Case diary and if the arrest is not made, the reasons thereof shall also be recorded in the case diary.

**4. Notice Under Section 35(3):**

- a. The Notice should direct the person to appear before the police officer or at any such place as mentioned in the notice. This notice should be issued only against such persons against whom
- i. a reasonable complaint has been made, or
  - ii. credible information has been received, or
  - iii. a reasonable suspicion exists, that he has committed a cognisable offence. The notice under Section 35(3) should therefore state the offence and that such reason exists for a person to be served with such notice. The police officer, however, is not bound to disclose the particular complaint or piece of information to the person being served with notice.
- b. If the person complies with such notice under Section 35(3), he shall not be arrested unless the police officer opines that he ought to be arrested as per Section 35(1)(b).

**5. Arrest of a woman:**

- a. No women shall be arrested after sunset and before sunrise, except in exceptional circumstances. In such exceptional circumstances, prior permission from the Judicial Magistrate within whose jurisdiction the offence is committed or arrest is made, should be taken.
- b. The arrest of a woman should be made by a lady police officer or the Investigating Officer should be accompanied by a lady police officer while making the arrest.

**6. Arrest of Infirm or those above Sixty years of age in offences punishable with less than three years:**

- a. In all offences punishable with an imprisonment of less than three years and the person to be arrested is infirm or above sixty years of age, no

arrest can be made without the prior permission of an officer not below the rank of Deputy Superintendent of Police

- b. Such permission of the senior officer shall be mandatory.

#### **7. Conditions to be fulfilled during Arrest**

- a. The police officer should bear an accurate, visible and clear identification of his name while making an arrest.
- b. He shall also make an memorandum of arrest (Arrest Memo). (Annexure A)
- c. The arrest memo should be attested by a witness. This witness can be a member of the family of the person arrested or a respectable member of the locality where the person is arrested.
- d. It should also be countersigned by the person arrested and therefore should bear the signatures of the person arrested as well.
- e. Full particulars of the offence or the grounds of arrest (including FIR No. if applicable) should be forthwith communicated to such person. If the person arrested is accused of an offence other than a non-bailable offence, the person arrested should be informed that he is entitled to be released on bail and he may arrange for sureties on his behalf.
- f. Any of the relatives, friends or such other persons as nominated by the arrested person shall be given the information of the arrest and the place where the arrested person is being held by the police officer making the arrest. This information shall also be entered in Station Diary. The police officer shall also fill the Arrest Intimation Form. (Annexure B)
- g. The arrest information shall also be given forthwith to the designated police officer (Section 37).

#### **8. Search Memo:**

- a. The police officer making the arrest should immediately conduct a search of the arrested person. He should safe keep all articles seized from the arrested person and shall also give a receipt of the articles seized from him. The police officer shall also fill the Search Memo. (Annexure C)
- b. The search of an arrested woman shall only be caused by a female officer and with strict regard to decency.

#### **9. Medical Examination of the person Arrested:**

- a. The police officer making the arrest shall ensure the medical examination of the person arrested by the medical officer soon after the arrest is made.



- b. If the arrested person is a woman, she shall be examined by or under the supervision of a female medical officer.

**10. Force and restraint to be used during arrest or production before Court:**

- a. If the person being arrested evades the arrest or resists it, all means necessary to effect the arrest can be used.
- b. However, in using such force, death of a person being arrested cannot be caused if he is not accused of an offence punishable with death or with imprisonment for life.
- c. Handcuffs can be used while making the arrest of a person or while being produced in the Court for habitual or repeat offenders, persons who escaped from custody or who has committed offence of organised crime, terrorist act, drug related crime, or illegal possession of arms and ammunition, murder, rape, acid attack, counterfeiting of coins and currency-notes, human trafficking, sexual offence against children, or offence against the State.
- d. The arresting officer shall make a mention of the use of handcuffs and the grounds thereof in his case diary.
- e. More restraint than is necessary to prevent his escape should not be used upon the person being arrested.

**11. Person arrested to be taken to Magistrate:**

- a. A person, arrested without warrant, shall be taken to a Judicial Magistrate without unnecessary delay and in no case beyond twenty four hours, exclusive of the time necessary for the journey from the place of arrest to the Court.

Issued for meticulous Compliance.

*Surendra Singh Yadav*  
*28/06*  
(Surendra Singh Yadav, IPS)  
Director General of Police,  
Union Territory, Chandigarh

No. 5650-99 /UT/HAC/Dated Chandigarh the:- 29.06.2024

- Copy to all concerned

*I/C Computer Section:*  
*To upload the same on the official website of Chg. Police*

## Arrest Memo

Case FIR No. \_\_\_\_\_ date \_\_\_\_\_ u/s \_\_\_\_\_

PS \_\_\_\_\_, District: \_\_\_\_\_

1.	Name with alias and parentage of the arrestee	
2.	Present address of the arrestee	
3.	Permanent Address of the arrestee with mobile number	
4.	Description of the person Arrested	
5.	Place of arrest	
6.	Date and time of arrest	
7.	Name and address and telephone No of the person informed of the arrest and the place he is being held (friend, relative or respected member of locality)	
8.	Name, Rank and mobile No. of <b>Designated Police officer</b>	
9.	Name, Rank and No. of the officer who is making arrest	
10.	Reason of arrest (Tick which are applicable and mention details in case diaries and remand application)	<p>1. There is reason to believe on the basis of such information, complaint or suspicion that such person has committed the offence, as mentioned above AND,</p> <p>2. Any/all of the following:</p> <p>a) Whether arrest is necessary to prevent the accused from committing any further offence.</p> <p>b) For proper investigation of the offence</p> <p>c) Whether the accused is a previous convict or previously involved in a criminal case give details, if any (attach separate sheet).</p> <p>d) Whether the address of the accused is required to be verified.</p> <p>e) Whether there are chances of the accused causing the evidence of the offence to disappear or tampering with such evidence in any manner which may affect the investigation.</p> <p>f) Whether the arrest is necessary for proper investigation of the case.</p> <p>g) Whether the arrest of accused is necessary to stop him from making any inducement/threat/promise to the witness (es) of the case or any person</p>



		connected with the case to dissuade him from disclosing the facts of the case in the court or to the Police Officer, which may affect investigation. h) Whether presence of the accused cannot be ensured at the time of requirement.
11.	Whether "Grounds of arrest" has been conveyed in writing to the arrestee or not?	

1. The person arrested ..... has been informed of the grounds of the arrest and the offence.

Signature of the person Arrested:

Signature of IO

PS \_\_\_\_\_

Dated \_\_\_\_\_

Witnesses:-

Case FIR No. \_\_\_\_\_ Dated \_\_\_\_\_ U/s \_\_\_\_\_  
Police Station - \_\_\_\_\_, Distt. \_\_\_\_\_

**Arrest Information**

The accused Sh./Smt. \_\_\_\_\_ S/o D/o W/o (select applicable) Sh. \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_ has been arrested in the above mentioned case, as per law on Dated \_\_\_\_\_ at \_\_\_\_\_.

Investigation Officer  
Police Station –  
UT, Chandigarh  
Dated :-

Signature of intimated person

Sh./Smt. \_\_\_\_\_ Mobile No. \_\_\_\_\_ S/o,  
D/o, W/o Sh. \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_, Relation with accused \_\_\_\_\_

Case FIR No. \_\_\_\_\_ Dated \_\_\_\_\_ U/s \_\_\_\_\_  
Police Station - \_\_\_\_\_, Distt. \_\_\_\_\_

**Personal Search Memo**

In the presence of the following witnesses, the personal search of Sh./Smt.  
\_\_\_\_\_ Mobile No./WhatsApp \_\_\_\_\_ Mobile No.  
\_\_\_\_\_ eMail ID \_\_\_\_\_ S/o D/o W/o  
(select applicable) Sh. \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_ was conducted as per law and following  
articles have been received from his/her possession and same have been taken into the police  
possession through this memo.

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Signature/Thumb of accused

Witness:-

- 1. Sh./Smt. \_\_\_\_\_ Mobile No. \_\_\_\_\_  
\_\_\_\_\_ S/o D/o W/o Sh. \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_
- 2. Sh./Smt. \_\_\_\_\_ Mobile No. \_\_\_\_\_  
\_\_\_\_\_ S/o D/o W/o Sh. \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_

Investigation Officer  
Police Station –  
UT, Chandigarh  
Dated :-