**CIRCULAR**

No. 16 2017

**Subject:- Instructions regarding arrest, summoning and joining investigation.**

The Hon'ble High Court of Delhi vide its order dated 18.05.2017 in Bail Application No. 778/2017; Rajesh Dua Versus State has directed the police authorities to ensure that the "Investigating Officers do not arrest, not to arrest, summoning, non-summoning and joining the investigation without reducing into writing. In other words, arrest, summoning and joining of investigation would not be out of record".

In order to ensure compliance of the Hon'ble Court's directions, it is emphasized that the calling of any person to the police station should be properly documented. If he/she is the alleged person or suspect, he/she should be called only through a notice u/s 41A CrPC and in case he/she is to be arrested, reasons for the arrest must be explicitly recorded. Witnesses or persons who are expected to have knowledge should be called through notice u/s 160 CrPC.

Besides, the instructions contained in Standing Order No. 330/2008; regarding "guidelines for arrest" may also be brought to the notice of all concerned for strict compliance.

In view of the above, all ACsP/Sub-Divison, SHOs and other officers empowered to arrest a person shall be briefed and sensitized about the above directions and strict compliance may be ensured.

13.6.17

**[M.A. RIZVI]DCP LEGAL CELL/PHQ**
**for COMMISSIONER OF POLICE,**
**DELHI**

No. 1702-1827/RB/PHQ, dated, New Delhi, the 13.6 2017.

Copy forwarded for information and necessary action to:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi.
3. All Additional Commissioners of Police, Delhi.
4. All Dy.Commissioners of Police, District/Unit, Delhi.
5. SO to C.P./Delhi.
6. All ACsP/PHQ.
7. Public Relation Officer, Delhi Police.