STANDING ORDER NO. Lic. & Leg./ 07/2024

PROCEDURE FOR ISSUANCE OF NOTICES OR ORDERS BY POLICE OFFICERS

I. INTRODUCTION

It has been noticed that some investigating officers do not comply with the legal requirements of Sections 35 (3), 94, 179, & 195 of Bharatiya Nagarik Suraksha Sanhita, 2023 with regard to summoning of witnesses or suspects in the course of an investigation or in connection with an inquest held u/s 194 B.N.S.S. These sections of the Bharatiya Nagarik Suraksha Sanhita empower investigating officers to examine orally any person who is believed to be acquainted with the facts and the circumstances of the case(s).

Section 35 (3) B.N.S.S stipulates issuance of notice for appearance before a Police Officer in all cases where the arrest of person is not required. *The Hon'ble High Court of Delhi in its Judgement titled Amandeep Singh Johar Vs State of NCT of Delhi* dated 07.02.2018, has categorically explained about the procedure to be mandatorily followed by Police Officers as has been mentioned in Section 41A Cr.P.C **now Section 35 (3) B.N.S.S also.** A Model format for notice under section 35 (3) B.N.S.S and directions of Hon'ble High Court of Delhi are enumerated in this S.O. and also enclosed as **Annexure – A**.

Section 94 B.N.S.S stipulates issuance of summons to produce document or other things before a Police Officer and as per directions of Hon'ble High Court of Delhi, a model format for notice under this section is enclosed as **Annexure – B**.

According to Sections 179 and 195 B.N.S.S. an officer making an investigation or enquiry shall invariably issue an order in writing to any person summoned to attend such investigation or enquiry and shall endorse on the copy of the order retained by the person so summoned, the date and time of his arrival and the date and time of his departure from the place where he is summoned. The Model Forms regarding the

instant sections as per the directions of Hon'ble Delhi High Court, are also enclosed with this Standing Order at **Annexure C & D** respectively.

II. RELEVANT STATUTORY PROVISIONS

Prior to examining the Judgement in case titled *Amandeep Singh Johar Vs Govt. of NCT of Delhi & Ors.* passed by Hon'ble Delhi High Court, it would be useful to set out the statutory provisions which relates to requirement of appearance before a Police Officer of any person. For ready reference, the extract of provisions of Sections 35 (3), 94, 179 and 195, B.N.S.S is reproduced as below:-

Section 35 (3) B.N.S.S (Notice of appearance before police officer)

(1) The police officer shall, in all cases where the arrest of a person is not required under the provisions of sub-section (1) of 35 issue a notice directing the person against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists that he has committed a cognizable offence, to appear before him or at such other place as may be specified in the notice.

(2) Where such a notice is issued to any person, it shall be the duty of that person to comply with the terms of the notice.

(3) Where such person complies and continues to comply with the notice, he shall not be arrested in respect of the offence referred to in the notice unless, for reasons to be recorded, the police officer is of the opinion that he ought to be arrested.

(4) Where such person, at any time, fails to comply with the terms of the notice or is unwilling to identify himself, the police officer may, subject to such orders as may have been passed by a competent Court in this behalf, arrest him for the offence mentioned in the notice."

Section 94 B.N.S.S. (Summons to produce document or other thing)

(1) Whenever 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 other

proceeding under this Sanhita by or before such Court or officer, such Court may issue a summon or such 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.

(2) Any person required under this section merely to produce a document or other thing shall be deemed to have complied with the requisition if he causes such document or thing to be produced instead of attending personally to produce the same.

(3) Nothing in this section shall be deemed-

(a) Sections 129 and 130 of the Bharatiya Sakshya Adhiniyam, 2023 or the Bankers' Books Evidence Act, 1891 (13 of 1891) or

(b) To apply to a letter, postcard, telegram or other document or any parcel or thing in the custody of the postal or telegraph authority.

Section 179, B.N.S.S (Police officer's power to require attendance of witnesses)

(1) Any police officer, making an investigation under this Chapter 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:

Provided that no male person under the age of fifteen years or above the age of sixty-five years or woman or a mentally or physically disabled persons or a person with acute illness shall be required to attend at any place other than the place in which such person or resides :

Provided further that if such person is willing to attend at the police, such person may be permitted so to do.

(2) The State Government may, by rules made in this behalf, provide for the payment by the police officer of the reasonable expenses of every person, attending under sub- section (1) at any place other than his residence.

Section 195 B.N.S.S (Power to summon persons)

(1) A police officer proceeding under section 194 of B.N.S.S may, by order in writing, summon two or more persons as aforesaid for the purpose of the said investigation, and any other person who appears to be acquainted with the facts of the case and every person so summoned shall be bound to attend and to answer truly all questions other than questions the answers to which would have a tendency to expose him to a criminal charge or to a penalty or forfeiture.

Provided that no male person under the age of fifteen years or above the age of sixty years or a woman or a mentally or physically disabled person or a person with acute illness shall be required to attend at any place other than the place where such person reside :

Provided further that if such person is willing to attend and answer at the police stations, such person may be permitted so to do

(2) If the facts do not disclose a cognizable offence to which section 190, B.N.S.S applies, such persons shall not be required by the police officer to attend a Magistrate's Court."

III. PROCEDURE FOR ISSUANCE OF NOTICES/ORDERS

Upon consideration of the Judgement in case titled *Amandeep Singh Johar Vs Govt. of NCT of Delhi* passed by Hon'ble High Court of Delhi, it is directed that as far as working of Section 41A Cr.P.C **now Section 35 (3) of B.N.S.S.** is concerned, the following procedure shall be strictly followed by the police in Delhi: -

(i) Police officers should be mandatorily required to issue notices under Section 41A Cr.P.C. **now 35 (3) B.N.S.S** (in the prescribed format) formally to be served in the manner and in accordance with the terms of the provisions contained in Chapter VI of Bharatiya Nagarik Suraksha Sanhit Model form of notice under Section 41A Cr.P.C **now Section 35 (3) B.N.S.S** & its acknowledgement is enclosed herewith as **Annexure-A**.

(ii) The concerned suspect or accused person will necessarily need to comply with the terms of the notice under section 41 A Cr.P.C **Now Section 35 (3) of B.N.S.S** and make himself available at the requisite time and place.

(iii) Should the accused be unable to present himself at the given time for any valid and justifiable reason, the accused should in writing immediately, intimate the investigating officer and seek an alternative time within a reasonable period, which should ideally not exceed a period of four working days, from the date on which he was required to attend, unless he is unable to show justifiable cause for such non-attendance.

(iv) Unless it is detrimental to the investigation, the police officer may permit such rescheduling, however only for justifiable causes to be recorded in the case diary. Should the IO believe that such extension is being sought to cause delay to the investigation or the suspect or accused person is being evasive by seeking time, (subject to intimation to the SHO/DCP of the concerned Police Station), deny such request and mandatorily require the said person to attend.

(v) A suspect/accused on formally receiving a notice under Section 35 (3) of B.N.S.S and appearing before the concerned officer for investigation or interrogation at the police station, may request the concerned IO for an acknowledgement.

(vi) In the event the suspect or accused is directed to appear at a place other than the police station (as envisaged under Section 35 (3) of B.N.S.S the suspect will be at liberty to get the acknowledgement receipt attested by an independent witness if available at the spot in addition to getting the same attested by the concerned investigating officer himself.

(vii) A duly indexed booklet containing serially numbered notices in triplicate carbon copy format should be issued by the SHO of the Police Station to the Investigating Officer. The Notice should necessarily contain the following details:

(a) Serial Number
(b) Case Number
(c) Date and time of appearance
(d) Consequences in the event of failure to comply
(e) Acknowledgment slip

(viii) The Investigating Officer shall follow the following procedure:-

a) The original is served on the accused or suspect;

b) A carbon copy (on white paper) is retained by the IO in his or her case diary, which can be shown to the concerned Magistrate as and when required;

c) Used booklets are to be deposited by the IO with the SHO of the Police Station who shall retain the same till the completion of the investigation and submission of the final report under section 173 (2) of the Cr.P.C **now Section 193 (3) of the B.N.S.S.**

d) The Police department shall frame appropriate rules for the preservation and destruction of such booklets.

IV. DIRECTIONS OF THE HON'BLE HIGH COURT OF DELHI

(a) The Hon'ble Delhi High Court further directed that the above procedure shall apply also to the working of Sections 91, 160 and 175 of the Cr.P.C **now Sections 94, 179 and 195 of B.N.S.S.** as well. The above procedure shall be mandatorily followed by Delhi Police when working the requirements of all the above noted sections.

(b) The format of notices to be issued u/s 41-A, 91, 160 & 175 Cr.P.C. **now Section 35 (3), 94, 179, & 195** have been enclosed as **Annexure A, B, C & D.**

(c) A Non-PPR Register as per **Annexure-E** shall be maintained year-wise by the Duty Officer in each Police Station containing the relevant details of the Notices issued by Investigating Officers.

V. AREA OF RESPONSIBILITY

1. While issuing such notices, the concerned Investigating Officer must ensure his or her presence on the given date and time and if due to any unforeseen circumstances or official exigencies, the he is required to be away, the Inspector (Investigation) or SHO will take the needful action in respect of the noticee. However, in a rare situation of serious exigency of an operational nature, where none of the above officers is present, while recording the presence of the noticee, the Duty Officer will issue the necessary acknowledgement and also record a DD entry to this effect. The Duty Officer will also collect a copy of self-attested ID proof from the noticee and inform the IO or SHO accordingly. A copy of DD entry and ID proof shall be handed over to the Investigating Officer upon his or her arrival.

2. The Investigating Officers are responsible for exercising full care and precautions with regard to the personal safety of persons summoned by them. They should guard against the possibility of

such witness or suspect attempting to commit suicide or causing any bodily harm to himself. The task of IO should as far as possible be carried out in Sankraman Kaksha or on the ground floor of the Police Stations.

3. When a woman has to be questioned or interrogated and a notice under section 179 of B.N.S.S needs to be served, the IO must keep in mind that a woman cannot be summoned to the police station. However, the notice can mention the details and time where the women will be questioned, which should ordinary be where the women resides, preferably in the presence of other family members or women police personnel.

4. As per section 179 of B.N.S.S, no male person under the age of fifteen years or above the age of sixty years or woman or a mentally or physically disabled person, or a person with acute illness shall be required to attend at any place other than the place in which such person resides, if such person willing to attend at the police station, such person may be permitted so to do. As per Juvenile Justice Act, such person under the age of eighteen years be questioned where he resides and preferably in the presence of other family members, guardians, fit persons or Juvenile Welfare Officers.

5. Procedure booklets (containing serially numbered notices in triplicate) in format identical to the above prescription in guidelines (vii) & (viii) with modifications having regard to the statutory provisions in the forms for notices and acknowledgment shall be maintained.

6. Failure on the part of IO, to comply with the mandate of provisions of B.N.S.S and the above procedure, shall render him liable for appropriate disciplinary proceedings under the applicable rules.

7. Wide publicity should be given for educating the public at large through various modes of Public Advocacy.

8. This Standing Order shall also be posted on the official website of Delhi Police in Hindi as well as English language to ensure that public is apprised of the procedure that has to be followed.

9. The above information should be displayed at prominent places in Police Stations, Subordinate Courts and the Hon'ble High Court and made available to State and District Legal Services Authorities, in order to inform the public of their rights and recourses available to them.

10. Training programmes be specially formulated for police officers and judicial officers to sensitize them towards effective compliance of Section 35 (3,) 94, 179, & 195 of Bharatiya Nagarik Suraksha Sanhit.

11. DCsP Districts/Units in coordination with DCP/GA shall prepare standardized pamphlets/posters carrying essential points of judgment for displaying at prominent places/Notice Board in all the Police Stations in order to inform the General Public of their rights.

VI. RETENTION/DESTRUCTION OF RECORD

Used booklets deposited by the IO with the SHO of the Police Station shall be retained for 03 years after the completion of the investigation and submission of the final report under section 193 (3) and 193 (9) of the B.N.S.S for any requirement during the trial of the cases. If the record is to be retained beyond specified period, concurrence of the concerned ACP will be required. In any case, the concurrence of ACP be taken for final disposal of such records.

VII. SUPERSESSION CLAUSE

This Standing Order supersedes the previous Standing Order No. Lic. & Leg. /07/2022 issued vide No. 20501-20650/Record Brach/PHQ dated 29.04.2022

VIII. DISCLAIMER

It is made clear that this Standing Order is exclusively for internal smooth functioning of Police Department.

(SANJAY ARORA)
COMMISSIONER OF POLICE:
DELHI

No. 5951-6100 /Record Branch/PHQ dated Delhi, the 7/8/24.

Copy forwarded to:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi.

3. All Additional Commissioners of Police, Delhi.
4. OSD to C.P., Delhi.
5. All Deputy Commissioners of Police, Districts/Units including PHQ, C.P. Sectt., FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ(IV)/PHQ with the direction to upload the Standing Order on Intra-DP.
7. LA to CP and FA to C.P., Delhi.
8. All ACsP/Insprs./PHQ.
9. PS/Reader to C.P., Delhi.
10. HAR/PHQ.
11. Librarian/PHQ.

Annexure – A

"MODEL NOTICE – SECTION 35 (3) B.N.S.S"

Sl.No.....

Police Station .....

To

_____

[Name of Accused/Noticee]

_____

[Last Known Address]

_____

[Phone No./Email ID (if any)]

***Notice under Section* 35 (3), B.N.S.S**

In exercise of the powers conferred under section 35 (3) of B.N.S.S. I hereby inform you that during the investigation of FIR/Case No.....dated.....u/s .....registered at Police Station, it is revealed that there are reasonable grounds to question you to ascertain facts and circumstances from you, in relation to the present investigation. Hence you are directed to appear before me at ..... AM/PM on ..... at .....Police Station.

You are directed to comply with all and/or the following directions:-

(a) You will not commit any offence in future.
(b) You will not tamper with the evidences in the case in any manner whatsoever.
(c) You will not make any threat, inducement, or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing, such facts to the court or to the police officer.
(d) You will appear before the Court as and when required/directed.
(e) You will join the investigation of the case as and when required and will cooperate in the investigation.
(f) You will disclose all the facts truthfully without concealing any part relevant for the purpose of investigation to reach to the right conclusion of the case.
(g) You will produce all relevant documents/material required for the purpose of investigation.
(h) You will render your full co-operation/assistance in apprehension of the accomplice.
(i) You will not allow in any manner destruction of any evidence relevant for the purpose of investigation/trial of the case.
(j) Any other conditions, which may be imposed by the Investigating Officer/SHO as per the facts of the case.

Failure to attend/comply with the terms of this Notice can render you liable for arrest under [Section 35 (5) & (6) B.N.S.S.

[Signature]_____

[Name and Designation]_____

[affix seal]_____

.....

ACKNOWLEDGEMENT

Sl.No.....

In compliance with the above mentioned notice dated..... issued under section 35 (3), B.N.S.S, the Noticee has appeared on ..... from ..... to..... The Noticee's presence has been recorded in the register maintained by the Police Station.

This acknowledgement is being issued in compliance with Section 35 (3), B.N.S.S. The documents produced by the noticee have duly been seized vide seizure memo/production memo (copy enclosed).

The noticee undertakes to continue to comply with any further notice that she/he may receive during the course of the present investigation.

[Signature of Accused]/Noticee] **[Signature of IO]**

Annexure – B

"MODEL NOTICE – SECTION 94 OF B.N.S.S"

Sl.No.....

Police Station.....

To

_____

[Name of Accused/Noticee]

_____

[Last Known Address]

_____

[Phone No./Email ID (if any)]

***Notice under* Section 94 B.N.S.S.**

Whereas it has been made to appear to me that the production of documents/articles mentioned below is necessary or desirable for the purpose of investigation in case FIR No..... dated.....u/s .... registered at Police Station..... Therefore, you are directed to produce the required documents/articles before the undersigned at Place..... time..... AM/PM on date .....

Details of documents

1.....

2.....

3.....

4.....

Failure to attend/comply with the terms of this Notice can render you liable for legal action u/s 210 B.N.S, 2023.

Signature]_____

[Name and Designation]_____

[affix seal]_____

.....

ACKNOWLEDGEMENT

Sl.No.....

In compliance with the above mentioned notice dated ..... issued under Section 94 B.N.S.S, the Noticee has appeared on ..... from..... to..... The Noticee's presence has been recorded in the register maintained by the Police Station.

This acknowledgement is being issued in compliance with Section 91 Cr.P.C. The documents produced upon the issuance of this notice have duly been seized vide seizure memo/production memo (copy enclosed).

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of present investigation.

[Signature of Accused]/Noticee] **[Signature of IO]**

Annexure – C

"MODEL NOTICE – SECTION 179 B.N.S.S."

Sl.No.....

Police Station .....

To

_____

[Name of Accused/Noticee]

_____

[Last Known Address]

_____

[Phone No./Email ID (if any)]

Notice under Section 179 of B.N.S.S

In exercise of powers conferred under sub-section (1) of Section 179 of B.N.S.S., I hereby inform you that during investigation of FIR/Case No..... dated..... u/s ..... registered at Police Station ....., it is revealed that there are reasonable grounds to question you to ascertain facts and circumstances from you, in relation to the present investigation. Hence you are directed to appear before me at.....AM/PM on.....at.....Police Station.

You are directed to comply with all and/or the following directions:-

(a) You will appear before the Court as and when required/directed.
(b) You will join the investigation of the case as and when required and will cooperate in the investigation.
(c) You will disclose all the facts truthfully without concealing any part relevant for the purpose of investigation to reach to the right conclusion of the case.
(d) You will produce all relevant documents/material required for the purpose of investigation.
(e) You will render your full co-operation/assistance in apprehension of the accomplice.
(f) You will not allow in any manner destruction of any evidence relevant for the purpose of investigation/trial of the case.
(g) Any other conditions, which may be imposed by the Investigating Officer/SHO as per the facts of the case.

Failure to attend/comply with the terms of this Notice can render you liable for legal action u/s 208 B.N.S, 2023.

[Signature]_____

[Name and Designation]_____

[affix seal]_____

.....

ACKNOWLEDGEMENT

Sl.No.....

In compliance with the abovementioned notice dated ..... issued under (Section 179 B.N.S.S, the Noticee has appeared on ..... from ..... to..... The Noticee's presence has been recorded in the register maintained by the Police Station.

This acknowledgement is being issued in compliance with Section 179 B.N.S.S. The documents produced by the noticee have duly been seized vide seizure memo/production memo (copy enclosed).

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of the present investigation.

[Signature of Accused]/Noticee] **[Signature of IO]**

Annexure – D

"MODEL NOTICE – SECTION195 B. N.S.S."

Sl.No.....

Police Station.....

To

_____

[Name of Accused/Noticee]

_____

[Last Known Address]

_____

[Phone No./Email ID (if any)]

Notice under (Section 195 B.N.S.S

Whereas the presence of aforesaid person is necessary for the purpose of enquiry into the offence reported to have been committed in case FIR/DD No..... dated.....u/s..... registered at Police Station ..... Therefore the said person is hereby directed to appear before the undersigned at Place..... time ..... AM/PM on ..... to give such information relating to the said alleged offence as he may possess.

Failure to attend/comply with the terms of this Notice can render you liable for legal action u/s 208 B.N.S, 2023.

[Signature]_____

[Name and Designation]_____

[affix seal]_____

.....

ACKNOWLEDGEMENT

Sl.No.....

In compliance with the abovementioned notice dated.....issued under Section 195 B.N.S.S, the Noticee has appeared on ..... from ..... to..... The Noticee's presence has been recorded in the register maintained by the Police Station.

This acknowledgement is being issued in compliance with Section 195 B.N.S.S.

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of present investigation.

[Signature of Accused]/Noticee] **[Signature of IO]**

Annexure – E

NOTICE REGISTER

S. No.				
FIR/DD No.				
U/s				
Notice issued U/s (Please specify)	[35 (3)]	(94)	(179)	(195)
Booklet S.No., name & telephone number of IO				
Name/address/telephone number of person called by IO				
Date & time given for joining/appearance				
Actual Date & time of joining/appearance				
Action taken on failure to comply				
DD No. of arrival of noticee and information to IO(if not available)				

OFFICE OF THE COMMISSIONER OF POLICE: DELHI.
POLICE HEADQUARTERS, JAI SINGH ROAD, NEW DELHI 110001

A D D E N D U M

STANDING ORDER NO. LIC. & LEG. /07/2024

REGARDING PROCEDURE FOR ISSUANCE OF NOTICE OR ORDERS BY POLICE OFFICERS

In light of the provision made vide Form No.1, U/s 35 (3) in the BNSS itself, the format of Notice U/s 35 (3) of the BNSS, devised by Delhi Police, which was issued as **Annexure -'A'** in S.O. No. Lic. & Leg. /07/2024, issued vide No.5951-6100/Record Br./PHQ, dated 07.08.2024, is hereby withdrawn.

All officers entrusted with investigation are obligated to use Notice as prescribed vide Form No. 1, U/s 35 (3) of the BNSS. A copy of the said Notice as provided in the Statute is enclosed herewith for information and compliance.

This has the approval of Commissioner of Police, Delhi.

04/11

(HAREESH H.P.)
DEPUTY COMMISSIONER OF POLICE:
LEGAL DIVISION, PHQ: NEW DELHI.

No. 12701-12850 /Record Br./PHQ, dated Delhi, the 4/11/2024.

Copy forwarded to: -

1. All Special Commissioner of Police, Delhi.
2. All Joint Commissioner of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi.
3. All Additional Commissioner of Police, Delhi.
4. OSD to CP/Delhi.
5. All Deputy Commissioner of Police, Districts/Units including PHQ, CP Sectt., FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ(IV)/PHQ with the direction to upload the Standing Order on Intra-DP.
7. LA to CP and FA to CP/Delhi.
8. All ACsP/Inspr. /PHQ, Delhi.
9. PS & Reader to CP/Delhi.
10. HAR/PHQ, Delhi.
11. Librarian/PHQ, Delhi.

The Second Schedule

(See section 522)

Form No.1

Notice for Appearance by The Police

[See section 35(3)]

Serial No..... Police Station.....

To,

.....
[Name of the Accused/Noticee]

.....
[Last known Address]

.....
[Phone No./Email ID (if any)]

In pursuance of sub-section (3) of section 35 of the Bharatiya Nagarik Suraksha Sanhita, 2023, I hereby inform you that during the investigation of FIR/ Case No ..... dated ..... U/s ..... registered at Police Station ....., it is revealed that there are reasonable grounds to question you to ascertain facts and circumstances from you, in relation to the present investigation. Hence you are directed to appear before me at ..... AM/ PM on..... at.....

Police Station.
Name and Designation of the Officer In charge
(Seal)

A D D E N D U M

STANDING ORDER NO. Lic.& Leg./07/2024

PROCEDURE FOR ISSUENCE OF NOTICES OR ORDERS BY POLICE OFFICERS

This is in continuation to Standing Order No. **Lic. & Leg./07/2024**, titled **"Procedure for Issuance of Notices or Orders by Police Officers"**, issued Vide No. 5951-6100//Record Branch/PHQ, dated 07/08/2024.

During the hearing in MA No.2034/2022 in SLP (Crl.) No. 5191/2021, titled Satender Kumar Antil Vs. CBI & Anr., the Hon'ble Supreme Court of India has passed the following directions regarding the mode of service of notices, which are hereby added to the abovesaid Standing Order, in Para-III, as last sub paras (ix) & (x):

Para III sub para{ix}	Notices under section 41-A of CrPC, 1973/Section 35 of BNSS, 2023 shall be issued only through the 'mode of service' as prescribed under the CrPC, 1973/BNSS, 2023. Service of Notice through Whatsapp or other electronic communication modes shall not be considered or recognized as an alternative or as a substitute to the 'mode of service' recognized and prescribed under the CrPC,1973/BNSS, 2023.
Para III sub para{x}	Notices under Section 160 of CrPC, 1973/Section 179 of BNSS, 2023 and Section 175 of CrPC, 1973/Section 195 of BNSS, 2023 shall be issued to the accused persons or otherwise, only through the 'mode of service' as prescribed under the CrPC, 1973/BNSS, 2023. The relevant provisions/illustrations to this extent are already mentioned in para II of the S.O. under heading, "Relevant Statutory Provisions", which may be referred to for compliance by all concerned.

This addendum is being issued in compliance of the guidelines issued by the Hon'ble Delhi High Court in Rakesh Kumar v. Vijayanta Arya (DCP) & Ors., 2021 and Amandeep Singh Johar v. State (NCT Delhi) 2018, both of

which have been now upheld and reiterated by the Hon'ble Supreme Court of India in MA No.2034/2022 in SLP (Crl.) No. 5191/2021, titled Satender Kumar Antil Vs. CBI & Anr. for strict compliance.

31/1/25

(SANJAY ARORA)
COMMISSIONER OF POLICE
DELHI

No. 451–600 **/Record Br./PHQ dated, Delhi** 31/01/2025

Copy forwarded to:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioner of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi
3. All Additional Commissioners of Police, Delhi.
4. OSD to C.P., Delhi.
5. All Deputy Commissioners of Police, Districts/Units including PHQ, C.P. Sectt., FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ (IV)/PHQ with the direction to upload the Addendum in Standing Order on Intra-DP.
7. LA to CP and FA to C.P., Delhi.
8. All ACsP/Insprs./PHQ.
9. PS/Reader to C.P., Delhi
10. HAR/PHQ.
11. Librarian/PHQ.