RNI No. MAHBIL /2009/35527

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-क

वर्ष ११, अंक ४१(४)] शुक्रवार, नोव्हेंबर २८, २०२५/अग्रहायण ७, शके १९४७ [पृष्ठे ४, किंमत : रुपये ९.००

असाधारण क्रमांक ६३

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिकाऱ्यांनी तयार केलेले
(भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर)
वैधानिक नियम व आदेश; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

mahaCode

HOME DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk, Mumbai 400 032.
dated the 28th November, 2025.

NOTIFICATION

BHARATIYA NAGARIK SURAKSHA SANHITA THE STATE OF MAHARASHTRA ELECTRONIC PROCESSES (ISSUANCE, SERVICE AND EXECUTION OF E- SUMMONS/E-WARRANT) RULES, 2025

No. BNSS/0325/C.R.34/ Special-09.—In exercise of the powers conferred by sub-section (*1*) of section 64 and of clause (i) of section 530 and other enabling provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), in its application to the State of Maharashtra, the Government of Maharashtra, hereby, makes the following rules, namely.—

1. Short title and commencement.—

(1) These rules may be called the Bharatiya Nagarik Suraksha Sanhita the State of Maharashtra Electronic Processes (Issuance, Service and Execution of e-summons/e-warrant) Rules, 2025.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Definitions.—

(1) In these rules, unless the context otherwise requires-

(*a*) "CCTNS" means Crime and Criminal Tracking Network and Systems, a system software used by the Police for the collection of data and execution of instructions ;

(b) "CIS" means Case Information System, a system software used by the District Judiciary and High Courts for the collection of data and execution of instructions;

(c) "Disclosed Electronic Mail Address" means the email account of a person or organization that is used by the person or organisation to send and receive messages over internet, and is shown to be admitted, or provided by such person or organization either personally or on a website or portal;

(d) "Electronic Communication" as defined in Section2(1)(i) of the Sanhita;

(e) "eSign" means authentication of any electronic record by a subscriber or court, by means of the electronic technique specified in the Second Schedule of the Information Technology Act, 2000 (21 of 2000) and includes digital signature. Also, when a process or report generated in electronic form is authenticated by means of electronic signature, it shall be deemed to be authenticated by signature of the person who affixed the electronic signature;

(f) "High Court" means the High Court of Judicature at Bombay;

(g) "Process" includes summons, warrant or any other forms set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require, issued for the respective purposes as mentioned in the Sanhita;

(h) "Rules and Orders" means the Maharashtra Rules and Orders (Criminal);

(i) "Sanhita" means the Bharatiya Nagarik Suraksha Sanhita, 2023 (Act No. 46 of 2023);

(j)"Seal" means image of the seal of the Court;

(k) "State" means the State of Maharashtra;

(l) "Summons" means any summons issued under the Sanhita;

(m) "Warrant" means a warrant issued under the Sanhita and includes bailable warrant and non-bailable warrant.

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023); the Bharatiya Nyaya Sanhita, 2023 (45 of 2023); the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023) and the Information Technology Act, 2000 (21 of 2000).

3. The Courts shall generate and issue process in electronic mode through CIS in such forms as set forth in the Second Schedule of the Sanhita, with such variations as the circumstances of each case may require. The same shall be served by an officer of the Court issuing it.

4. When the Court does not possess required electronic address/contact details of the person to whom such process is intended to be served or when the process issued as per rule 3 is not served, it may direct the same to be served by a police officer or other public servant.

5. Every process issued in form of electronic communication under the Sanhita must ordinarily be written in the language of the court and shall be in an encrypted form of electronic communication and shall bear the image of the seal of the Court and eSign.

6. Every process issued electronically shall contain eSign in such a manner that the name of the Court and the capacity in which the signatory or subscriber acts should be clearly mentioned. The summons generated in electronic form shall bear image of the seal of the court and eSign of the appropriate officer of the Court or the Reader or any person authorized in writing in this regard as the case may be. Every warrant of arrest in electronic form shall be issued by eSign of the Presiding Officer of the Court and shall also bear the seal of the Court.

7. Where the processes generated in electronic form are received on CCTNS through a secured system, in an encrypted or any other form of electronic communication, it shall be presumed to be issued by the Court. Further, any printout of such process shall have the same effect as issued in original for the purpose of its execution.

8. The Officer-in-charge of the Police Station shall ensure that the verified details relating to address, disclosed electronic mail address, phone number and messaging application used by the accused or witnesses, as the case may be, are recorded during arrest, investigation or inquiry and entered in CCTNS, Such details shall also be entered in the Register maintained at the Police Station in compliance with sub-section (*1*) of section 64 of the Sanhita. If any of such details is not available, the Officer-in-charge of the Police Station shall make an endorsement to that effect in the Register:

Provided that any such details may be amended on the basis of further verification or on the basis of an application by such person.

9. Where a case is filed on the basis of a private complaint, the complainant shall provide the details relating to address, disclosed electronic mail address, phone number and messaging application of the accused and witnesses along with the complaint. If any of such information is not available, the complainant shall make an endorsement to that effect.

10. The details relating to address, disclosed electronic mail address, phone number and messaging application shall be transmitted in electronic form and maintained in CIS and may be used for issuance of process. Such digital information shall form part of the register under Section 64 of the Sanhita.

11. The details relating to disclosed electronic mail address, phone number and messaging application of the victim and witnesses shall not be disclosed to the accused.

12. The Officer-in-charge of the Police Station or any Sub-ordinate Officer deputed by him upon receipt of summons issued in pursuance of rule 4 may forward the summons on the disclosed electronic mail address, phone number or messaging application of the person summoned.

13. (1) Where summons are served by way of electronic mail, service shall be deemed to have been made if the service provider generates acknowledgement of the delivery.

(2) When any summon is sent to a person or organization on disclosed electronic mail address, unless the delivery of the electronic mail is disrupted or bounced back for any reason whatsoever, the delivery shall be deemed to be effected; and unless the contrary is proved, be deemed to have been effected at the time at which the electronic mail would be delivered.

14. (1) Where summons are served by way of any other electronic communication including messaging application, the acknowledgment shall form part of the report of the service and the report shall contain details including mobile number, messaging application and screenshot/photo of the application reflecting delivery of the communication.

(2) Such delivery may be deemed to be due service of summons/process and a copy of such summons/process along with report of service shall be kept in record as a proof of service of summons/ process.

Explanation.—Acknowledgement under this rule or under rule 14 include an acknowledgement given by,—

(a) any communication by the addressee, automated or otherwise; or

(b) any conduct of the addressee, sufficient to indicate to the originator that the electronic record has been received.

15. In case verified details of the email address, phone number or messaging application relating to the person summoned are not available, the officer-in-charge of the police station or any police officer deputed shall make an entry in that regard and after taking printout in duplicate of the summons issued in electronic mode, shall execute the same in accordance with procedure prescribed under the Sanhita.

16. When summons are not served by an electronic mail or other mode of electronic communication, or delivery is disrupted and undelivered or bounced back for any other reason, the concerned officer shall prepare a report in that regard containing all details including mobile number, messaging application and screenshot/ photo of the application confirmation of delivery and may proceed as per applicable process.

17. In case of warrant or any other process required to be served in person is issued in electronic mode, the officer-in-charge of the police station or any police officer deputed by him shall take a printout of the warrant or process and execute the same in accordance with the Sanhita and rules made therein.

18. Where any process is served or executed other than through electronic mode the Police Officer while making service or executing the process shall take acknowledgement of the Recipient and may capture photograph, which sha form part of the report of the service.

19. Upon due service or non-service of the warrant, the serving officer of the concerned Police Station shall transmit the service along with relevant documents including bail bonds, photographs, acknowledgment, if any, to the concerned Court in electronic form through CCTNS/NSTEP.

20. The Court, upon receiving the report in electronic form under rule 19, may a upon such report as deemed appropriate. Such report or printout of such repo shall be deemed to be original for the purpose of satisfaction as the service/execution of the process.

21. Where any process is issued in cases relating to offences under sections 64,71 of The Bharatiya Nyaya Sanhita (45 of 2023) or offences against woman child or offences under The Protection of Children from Sexual Offences Act, 2012 and Juvenile Justice (Care and Protection of Children) Act, 2015, the concerned officer shall ensure that the identity of the victim is not revealed any manner in course of service or execution.

22. Any rule made in this behalf shall be in addition to, not in derogation of, any other law or rules made by the High Court to specify for the time being in for issuance, service and execution of process by the Court.

23. If any difficulty arises in giving effect to the provisions of this Rule, the Government of Maharashtra may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Rule as appear to it to be necessary for removing the difficulty.

IndiaCode

By order and in the name of the Governor of Maharashtra,

DR. JAYANT SARODE,
Deputy Secretary to Government.

ON BEHALF OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATION, PRINTED AND PUBLISHED BY DIRECTOR, RUPENDRA DINESH MORE, PRINTED AT GOVERNMENT CENTRAL PRESS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004 AND PUBLISHED AT DIRECTORATE OF GOVERNMENT PRINTING, STATIONERY AND PUBLICATIONS, 21-A, NETAJI SUBHASH ROAD, CHARNI ROAD, MUMBAI 400 004. EDITOR : DIRECTOR, RUPENDRA DINESH MORE.