OFFICE OF THE DISTRICT & SESSIONS JUDGE
Received
No. : 175
Dt. : 03/03/2025
DIMA HASAO HAFLONG

Misc file 2

By E-mail/Speed post

THE GAUHATI HIGH COURT AT GUWAHATI
(HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND ARUNACHAL PRADESH)

NO. HC.VII/59/2022/*1321-1322*/A, Dated: 01.03.2025

From: **Sri. S. Dhar,**
Registrar (Judicial),
Gauhati High court,
Guwahati.

To: **1. The District & Sessions Judge,**
Kamrup (M)/ Kamrup, Amingaon/ Nagaon/ Morigaon/ Golaghat/ Jorhat/ Sivasagar/ Dibrugarh/ Tinsukia/ Dhemaji/ Lakhimpur/ Sonitpur, Tezpur/ Darrang, Mangaldoi/ Udalguri/ Bongaigaon/ Barpeta/ Nalbari/ Dhubri/ Goalpara/ Baksa/ Hailakandi/ Karimganj/ Cachar, Silchar/ Chirang/ Dima Hasao/ Karbi Anglong/ Kokrajhar/ Hojai/ Charaideo/ South Salmara Mankachar/ Majuli/ Biswanath/ Bajali.

Seen & circulate & upload
03/03/2025
District & Sessions Judge
Dima Hasao, Haflong

2. The Member Secretary,
Assam State Legal Services Authority.

Sub: Standing order dated 17.02.2025 issued by the Home & Political Department, Govt. of Assam, in pursuance of the instructions of Hon'ble Supreme Court vide order dated 21.01.2025 in Satender Kumar Antil-V/sCentral Bureau of Investigation & Anr.

Sir/Madam,

With reference to the subject cited above and in enclosing herewith the Standing Order dated 17.02.2025, issued by the Home & Political Department, Government of Assam, I am directed to request all the District & Sessions Judges to circulate the Standing Order amongst all the Courts in their respective district.

The District & Sessions Judges are also requested to instruct their respective Office to upload the Standing order in the District website.

Further, the Member Secretary, Assam State Legal Services Authority is requested to circulate the Standing Order amongst all the District Legal Services Authorities in the State of Assam.

With warm regards.

Yours sincerely,

REGISTRAR (JUDICIAL)
01.03.25

Encl.: As stated

Contd...

GOVERNMENT OF ASSAM
HOME DEPARTMENT
DISPUR::::GUWAHATI-6

STANDING ORDER

No.HMA.28/2023/165 Dated Dispur, the 17th February, 2025

In pursuance of the instructions of Hon'ble Supreme Court vide order dtd. 21-01-2025 in Miscellaneous Application No. 2034/2022 in M.A. 1849/2021 in SLP (Crl) No. 5191/2021,with M.A. No. 2035/2022 in SLP (Crl) No. 5191/2021 (II) and Order dated 11.07.2022 in connection with Miscellaneous Application No. 2034 of 2022 in Miscellaneous Application No. 1849 of 2021 in SLP (Criminal) No. 5191 of 2021 (Satender Kumar Antil-V Central Bureau of Investigation &Anr), this standing order is issued which will be in supersession of earlier Standing Order issued vide Memo No. HMA.28/2023 Dtd 15-05-2023.

2. INTRODUCTION

2.1 It has been noticed that investigating officers sometimes do not comply with the legal requirements of Sections 35(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) / 41A CrPC, 94 BNSS / 91 CrPC, 179 BNSS / 160 CrPC and 195 BNSS / 175 CrPC with regard to summoning of witnesses or suspects and production of documents or things in the course of an investigation or in connection with an inquest held u/s 174 Cr. P.C./ 194 BNSS. These sections of the BNSS / Criminal Procedure Code empower investigating officers to examine orally any person who is believed to be acquainted with the facts and the circumstances of the case (s) and to cause production of documents / things.

2.2 According to Section 35 (3) BNSS / 41A of Cr.P.C., notice for appearance before a Police Officer is to be issued in all cases where the arrest of person is not required. The Hon'ble High Court of Delhi in its judgement in 'Amandeep Singh Johar Vs. State of NCT of Delhi' dated 07.02.2018, has categorically explained about the procedure to be followed mandatorily by Police Officers as has been mentioned in Section 41A Cr.P.C. A model format for notice under Section 35 (3) BNSS 41A CrPC is enclosed as Annexure-A.

2.3 Moreover, the Section 94 BNSS / 91 Cr.P.C stipulates issuance of summons to produce document of other thing before a Police Officer and as per direction of Hon'ble High Court of Delhi, a model format for notice under this section is enclosed as Annexure-B.

2.4 Similarly, Sections 179 BNSS / 160 CrPC and 195 BNSS / 175 Cr.P.C. stipulate that an Officer making an investigation or inquiry shall invariably issue an order in writings 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 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.

3. RELEVANT STATUTORY PROVISIONS

3.1 It would be useful to set out the statutory provisions which relates to requirement of appearance before a police officer of any person.

3.2 Section 35 (3) BNSS

The police officer shall, in all cases where the arrest of a person is not required under sub-section (1) 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.

3.3. Section 94 BNSS

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 device, 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 summons 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) to affect 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, or other document or any parcel or thing in the custody of the postal authority.

3.4 Section 179 BNSS

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 yearsor 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 in which such person resides:

Provided further that if such person is willing to attend at the police station, 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.

3.5 Section 195 BNSS

Power to summon persons – (1) A police officer proceeding under Section 194 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 resides:

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

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

4. PROCEDURE TO BE FOLLOWED FOR ISSUANCE OF NOTICES/ORDERS

4.1 Upon consideration of the Order of Hon'ble Supreme Court and 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 35 (3) BNSS / 41 A CrPC is concerned, the following procedure shall be strictly followed by the police in Assam:-

4.2 **Police officers should be mandatorily required to issue notices under Section 35(3) BNSS / 41 A Cr.P.C. (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 the BNSS / Criminal Procedure Code. It is made amply clear that service of notice under section 41-A CrPC / Sec 35 (3) BNSS, 2023 must not be done through Whatsapp or other electronic mode.**

4.3 The concerned suspect or accused person will necessarily comply with the terms of the notice under section 35(3) BNSS / 41A Cr.P.C and make himself available at the requisite time and place.

4.4 If the accused is 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.

4.5 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 O/C Police Station/SHO of the concerned Police Station), deny such request and mandatorily require the said person to attend.

4.6 A suspect or accused on formally receiving a notice under section 35(3) BNSS / 41 A Cr.P.C and appearing before the concerned officer for investigation or interrogation at the police station, may request the concerned IO for an acknowledgement.

4.7 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) BNSS / 41 A (1) Cr.P.C), the suspect will be atliberty 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.

4.8 A duly indexed booklet containing serially numbered notices in triplicate carbon copy format should be issued by the Officer-in-Charge 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) Acknowledgement slip

4.9 The Investigating Officer shall follow the following procedure:-

(a) The original is served on the accused 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 Officer-in-Charge of the Police Station who shall retain the same till the completion of the investigation and submission of the final report under section 193(3) BNSS / 173 (2) of the Cr.P.C.

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

4.10 **Additionally, theabove procedure shall apply also to the working of Sections 179 BNSS / 160 CrPC and 195 BNSS /175 CrPC as well. The above procedure shall be mandatorily followed by Assam Police when working the requirements of all the above noted sections. It is made amply clear that service of notices under section 179 BNSS / 160 CrPC and 195 BNSS / 175 CrPC must be done only through the mode of services as provided under the BNSS 2023 / CrPC and must not be done through Whatsapp or other electronic means.**

4.11 However, Sec 94 of BNSS allows notices U/S 94 BNSS to be issued either in physical form or in electronic form. Therefore, Officer-in-Charge of a police may issue a written notice either in physical form or in electronic form, requiring a person in whose possession or power any documents (including electronic records and devices) or things are believed to be and which are required in any

investigations, enquiry or trial, to attend and produce it or to produce it at the time and place to be specified in the notice. Notices U/S 94 BNSS may be served electronically or physically.

4.12 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.

5. AREA OF RESPONSIBILITY

5.1 While issuing such notices, the concerned Investigating Officers must ensure his or her presence on the given date and time.

5.2 If due to any unforeseen circumstances or official exigencies, he is required to be away, Inspector (Investigation) or the Officer-in-Charge of the Police Station will take the needful action in respect of the notice. 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 GD entry to this effect. The Duty Officer will also collect a copy of self-attested ID proof from the notice and inform the IO or the Officer-in-Charge of the police station accordingly. A copy of GD entry and ID Proof shall be handed over to the Investigating Officer upon his or her arrival.

5.3 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 be carried out in the ground floor of the police stations.

5.4 As per section 179Cr.P.C.and Sec. 195 BNSS 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, is required to attend at any place other than the place in which such person resides. However, if such person is willing to attend at the police station, such person may be permitted to do so, such person may be requested to submit his/her willingness in writing to the I.O. and an entry to such effect may be made in the General Diary and case diary. As per Juvenile Justice Act, male 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.

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

5.6 Failure on the part of IO, to comply with the mandate of provisions of BNSS / Cr.P.C. and the above procedure, shall render him liable for appropriate disciplinary proceedings under the applicable rules.

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

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

5.9 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.

5.10 Training programmes be specially formulated for police officers and judicial officers to sensitize them towards effective compliance of Section 35 (3) BNSS / 41A CrPC, 94 BNSS / 91 CrPC, 179 BNSS / 160 CrPC and 195 BNSS / 75 CrPC.

6. RETENTION/DESTRUCTION OF RECORD

Used booklets deposited by the IO with the O/C 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) BNSS / 173 (2) and 193 (9) BNSS / 173 (8) of the Cr.P.C. for any requirement during the trial of the cases. If the record is to be retained beyond specified period, concurrence of the concerned Superintendent of Police will be required. In any case, the concurrence of Superintendent of Police be taken for final disposal of such records.

Commissioner & Secretary to the Govt. of Assam,
Home & Political Departments
Dated Dispur, the 17th February, 2025

Memo No.HMA.28/2023/165-A

Copy to:

1) The Director General of Police, Assam. He is requested to circulate the same to all the Investigating Wings of Assam Police.
2) P.P.S to the Hon'ble Chief Minister, Assam for kind appraisal of Hon'ble Chief Minister.
3) The Registrar General, Gauhati High Court, Guwahati-1. He is requested to circulate the same to all District Courts.
4) Spl. Director General of Police, BI (EO), Assam.
5) The Additional Director General of Police (Law & Order), Assam.
6) The Additional Director General of Police (CID), Assam
7) The Additional Director General of Police (V&AC), Assam
8) The Deputy Commissioners (All Districts), Assam for information and necessary action.
9) The Superintendent of Police (All Districts), Assam for information and necessary action.
10) Any other concerned.
11) Office copy.

By orders etc.,

Joint Secretary to the Govt. of Assam,
Home & Political Departments

GAUHATI HIGH COURT
495
18 FEB 2025
GUWAHATI

ANNEXURE – A

Serial No (ক্রমিক নং) : ..... Police Station (আৱক্ষী থানা):.....
District (জিলা) : .....

Date (তাৰিখ):

Notice U/S 35(3) BNSS 2023
[ভাঃনাঃসুঃসঃ ২০২৩ৰ ৩৫ (৩) ধাৰাৰ জাননী]

In exercise of the powers conferred under sub-section (3) of Section 35 BNSS, I hereby inform you that during the investigation of FIR/Case No. ....., under section..... registered at .....PS, it is revealed that there are reasonable grounds to question you to ascertain facts and circumstances from you, in relation to the present investigation. (ভাঃনাঃসুঃসঃৰ ধাৰা ৩৫ৰ উপধাৰা (৩)ৰ অধীনত প্ৰদান কৰা ক্ষমতা ব্যৱহাৰ কৰি, মই ইয়াৰ দ্বাৰা আপোনালোকক জনাইছোঁ যে..... থানাত পঞ্জীয়নভুক্ত এফ আই আৰ/গোচৰ নং..... ধাৰা..... ৰ তদন্তৰ সময়ত বৰ্তমানৰ তদন্তৰ সম্পৰ্কত আপোনাৰ পৰা তথ্য আৰু পৰিস্থিতি নিৰ্ণয় কৰিবলৈ আপোনাক প্ৰশ্ন কৰাৰ যুক্তি সংগত ভিত্তি আছে বুলি প্ৰকাশ কৰিছে।)

Hence, you are directed to appear before me on ..... at ..... at ..... (সেয়েহে আপোনাক..... তাৰিখ..... বজাত.....ত মোৰ সম্মুখত হাজিৰ হবলৈ নিৰ্দেশ দিয়া হৈছে)

You are directed to comply with all and/ or the following directions: (আপোনাক সকলো আৰু/বা তলত দিয়া নিৰ্দেশনাসমূহ মানি চলিবলৈ নিৰ্দেশ দিয়া হৈছে)

1. You will not commit any offence in future.(ভৱিষ্যতে আপুনি কোনো অপৰাধ নকৰিব)।
2. You will not tamper with the evidences in the case in any manner whatsoever. (আপুনি গোচৰটোৰ প্ৰমাণ সৈতে কোনো ধৰণৰ হস্তক্ষেপ নকৰিব)।
3. 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.(আপুনি গোচৰৰ তথ্য সৈতে পৰিচিত কোনো ব্যক্তিক কোনোধৰণৰ ভাবুকি, প্ৰৰোচনা বা প্ৰতিশ্ৰুতি নিদিয়ে যাতে তেওঁক আদালত বা আৱক্ষী বিষয়াৰ আগত এনে তথ্য প্ৰকাশ কৰাৰ পৰা বিৰত থাকে।)
4. You will appear before the Court as and when required/ directed.(আপুনি প্ৰয়োজন অনুসৰি/নিৰ্দেশিত সময়ত আদালতৰ সম্মুখত হাজিৰ হব।)
5. You will join the investigation of the case as and when required and will cooperate in the investigation. (প্ৰয়োজন অনুসৰি আপুনি গোচৰৰ তদন্তত যোগদান কৰিব আৰু তদন্তত সহযোগ কৰিব।)
6. 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. (গোচৰৰ সঠিক সিদ্ধান্তত উপনীত হবলৈ তদন্ত উদ্দেশ্যে প্ৰাসংগিক কোনো অংশ লুকুৱাই নোথোৱাকৈ আপুনি সকলো তথ্য সত্যভাৱে প্ৰকাশ কৰিব।)
7. You will produce all relevant documents/ material required for the purpose of investigation. (তদন্তৰ উদ্দেশ্যে প্ৰয়োজনীয় সকলো নথিপত্ৰ/সামগ্ৰী আপুনি উপস্থাপন কৰিব।)

8. You will render your full cooperation/ assistance in apprehension of the accomplice.(সহযোগীজনক আটক কৰাত আপুনি আপোনাৰ সম্পূৰ্ণ সহযোগীতা/সহায় আগবঢ়াব।)

9. You will not allow in any manner destruction of the evidence relevant for the purpose of investigation. (গোচৰৰ তদন্ত/বিচাৰৰ উদ্দেশ্যে প্ৰাসংগিক কোনো প্ৰমাণ আপুনি কোনো ধৰণে ধ্বংস কৰাৰ অনুমতি নিদিয়ে।)

Failure to attend/ comply with the terms of this Notice can render you liable for arrest under Section 35 sub section (5) & (6) BNSS (এই জাননী চৰ্তসমূহত উপস্থিত/যোগ নহ'লে আপুনি ধাৰা ৩৫ উপধাৰা (৫) আৰু (৬) ভা:না:সু:সং ২০২৩ ৰ এই ধাৰাৰ অধীনত গ্ৰেপ্তাৰৰ বাবে দায়বদ্ধ হ'ব)

Name & Signature of the I/O with Designation & Contact No.
(তদন্তকাৰীৰ বিষয়া পদবী, নাম আৰু স্বাক্ষৰ যোগাযোগ নং)

ANNEXURE-'B'

Serial No(क्रमिक नं): ..... Police Station(आरक्षी थाना): .....
District(जिला) : .....
Date(तारिख) :
To,(प्रति)

_____
_____
_____

Notice under Section 94 of BNSS

धारा ९४ नः भाः नाःसुः सः द्वारा जाननी –

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 FIR/Case NO.....registered at Police Station: ..... Therefore, you are directed to produce the required documents/articles before the undersigned at ..... on .....

(যতঃমোৰ দৃষ্টিগোচৰ হৈছে যে.....থানাত পঞ্জীয়ন কৰা এফ.আই.আৰ/গোচৰ নং..... ত তদন্তৰ উদ্দেশ্যে তলত উল্লেখ কৰা নথিপত্ৰ/সামগ্ৰীসমূহ দাখিল কৰাটো প্ৰয়োজনীয় বা বাঞ্ছনীয় বুলি মোৰ অভিমত আপুনি.....তাৰিখত নিম্ন স্বাক্ষৰকাৰীৰ আগত প্ৰয়োজনীয় নথিপত্ৰ/সামগ্ৰীসমূহ দাখিল কৰিবলৈ নিৰ্দেশ দিয়া হল।)

Details of Documents/Articles নথিপত্ৰ/সামগ্ৰী বিৱৰণ):

1. _____
2. _____
3. _____
4. _____

Failure to attend/comply with the terms of this Notice can render you liable for legal action u/s 210 of BNS.(এই জাননীৰ চৰ্তসমূহত উপস্থিত/মান্য নহ'লে আপুনি ভাৰতীয় ন্যায় সংহিতা, ২০২৩ৰ ২০৮ নং ধাৰা অধীনত আইনী ব্যৱস্থা বাবে দায়বদ্ধ হব পাৰে)

Signature (স্বাক্ষৰ)

Name and Designation of the
Officer-in-Charge of the Police Station
(আৰক্ষী থানাৰ ভাৰপ্ৰাপ্ত বিষয়াৰ নাম আৰু পদবী)

Sr. No (ক্রমিক নং) .....

ACKNOWLEDGEMENT (স্বীকারোক্তি)

In compliance with the above mentioned notice dated..... issued under section 94 of BNSS the Noticee.....has appeared on..... from.....to.....The Noticee's presence has been recorded in the register maintained by the Police Station.

(ওপরত উল্লেখ করা ..... তারিখে ভা:না:সু:স:ৰ ৪৪ নং ধারা অধীনত জারি করা জাননী মানি চলি ..... তারিখৰ পরা ..... লৈ যাজিবা হবলৈ নির্দেশ দিয়া হৈছে। জাননীদাতাৰ উপস্থিতি থানাৰ পঞ্জীয়ন বহীত লিপিবদ্ধ করা হৈছে।)

This acknowledgement is being issued in compliance with Section 94 of BNSS. The documents/articles produced upon the issuance of this notice have duly been seized vide seizure memo/production memo (copy enclosed).

(ভা:না:সু:স:ৰ ধারা ৯৪ মানি এই স্বীকৃতি প্রদান করা হৈছে। এই জাননী জারী করাৰ লগে লগে উত্থাপিত নথি পত্র / সামগ্রী সমূহ জব্দ করা স্মারক পত্র (কপি সংলগ্ন) ৰ জরিয়তে যথাযথভাবে জব্দ করা হৈছে।)

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of the present investigation.(জাননীদাতাই বর্তমানৰ তদন্তৰ সময়ছোৱাত লাভ কৰিব পৰা পৰৱর্তী যিকোনো জাননী মানি চলি থাকিবলৈ প্রতিশ্রুতি দিয়ে।)

[Signature of Noticee]
(জাননীদাতাৰ স্বাক্ষৰ)

[Signature] (স্বাক্ষৰ)

Name & Designation :
(নাম আৰু পদবী)
Officer-in-Charge of Police Station
(আৱক্ষী থানাৰ ভাৱপ্রাপ্ত বিষয়া)

ANNEXURE – C

Serial No(ক্রমিক নং) : ..... Police Station(আৱক্ষী থানা): .....
District(জিলা) : .....
Date (তাৰিখ) :

NOTICE TO WITNESS (সাক্ষীৰ জাননী)

[Section 179 of BNSS]
[ভাঃনাঃসুঃসঃৰ ১৭৯নং ধাৰা]

In exercise of the powers conferred under sub-section (1) of Section of 179 of BNSS I hereby inform you that during investigation of FIR/Case No: .... dated ..... registered at ..... PS, 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 the undersigned .....the I/O of the case at .... on .....at .....Police Station.

(ইয়াৰ দ্বাৰা ভাঃনাঃসুঃসঃৰ ১৭৯ নং ধাৰাৰ উপ-ধাৰা (১)ৰ অধীনত প্ৰদান কৰা ক্ষমতা ব্যৱহাৰ কৰি আপোনাক জনোৱা হৈছে যে..... থানাত পঞ্জীয়ন হোৱা এফ আই আৰ/ গোচৰ নং..... তাৰিখ..... ৰ তদন্তৰ সময়ত প্ৰকাশ পাইছে যে, বৰ্তমান তদন্তৰ সম্পৰ্কত আপোনাৰ পৰা তথ্য আৰু পৰিস্থিতি নিৰ্ণয় কৰিবলৈ আপোনাক প্ৰশ্ন কৰাৰ যুক্তিসংগত ভিত্তি আছে।)

(সেয়েহে আপোনাক..... তাৰিখে..... ত গোচৰৰ তদন্তকাৰী বিষয়া ..... ৰ সন্মুখত হাজিৰ হবলৈ নিৰ্দেশ দিয়া হৈছে।)

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

(আপুনি সকলো আৰু/বা তলত দিয়া নিৰ্দেশনাসমূহ মানি চলিবলৈ নিৰ্দেশ দিয়া হৈছে):

(a) You will appear before the Court as and when required/directed. (আপুনি প্ৰয়োজন অনুসৰি/নিৰ্দেশিত সময়ত আদালতৰ সন্মুখত হাজিৰ হব।)

(b) You will join the investigation of the case as and when required and will cooperate in the investigation.(প্ৰয়োজন অনুসৰি আপুনি গোচৰৰ তদন্তত যোগদান কৰিব আৰু তদন্তত সহযোগ কৰিব।)

(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.(গোচৰৰ সঠিক সিদ্ধান্তত উপনীত হবলৈ তদন্ত উদ্দেশ্যে প্ৰাসংগিক কোনো অংশ লুকুৱাই নোযোৱাকৈ আপুনি সকলো তথ্য সত্যভাৱে প্ৰকাশ কৰিব।)

(d) You will produce all relevant documents/materials required for the purpose of investigation. (তদন্তৰ উদ্দেশ্যে প্ৰয়োজনীয় সকলো নথিপত্ৰ/সামগ্ৰী আপুনি উপস্থাপন কৰিব।)

(e) You will render your full co-operation/assistance in apprehension of the accomplice. (সহযোগীজনক আটক কৰাত আপুনি আপোনাৰ সম্পূৰ্ণ সহযোগীতা/সহায় আগবঢ়াব।)

(f) You will not allow in any manner destruction of any evidence relevant for the purpose of investigation/trial of the case. (গোচৰৰ তদন্ত/বিচাৰৰ উদ্দেশ্যে প্ৰাসংগিক কোনো প্ৰমাণ আপুনি কোনো ধৰণে ধ্বংস কৰাৰ অনুমতি নিদিয়ে।)

(g) Any other conditions, which may be imposed by the Investigating Officer/SHO as per the facts of the case. (অন্য যিকোনো চৰ্ত, যিবোৰ গোচৰৰ তথ্য অনুসৰি তদন্তকাৰী বিষয়া/ভাৰপ্ৰাপ্ত বিষয়া প্ৰয়োজন বুলি ভাবে।)

Failure to attend/comply with the terms of this Notice can render you liable for legal action under section 208 BNS. (এই জাননী চর্তসমূহত উপস্থিত/মান্য নহলে আপুনি ধাৰা ২০৮ ভাৰতীয় ন্যায় সংহিতা, ২০২৩ ৰ এই ধাৰাৰ অধীনত গ্ৰেপ্তাৰৰ বাবে দায়বদ্ধ হব।)

Signature (স্বাক্ষৰ)

Name, Designation, Mobile No.
(নাম, পদবী, মোবাইল নং)

Sl. No(ক্রমিক নং) .....

ACKNOWLEDGEMENT (স্বীকারোক্তি)

In compliance with the above mentioned notice dated ..... issued under section 179 of BNSS the Noticee has appeared on..... from.....to..... The Noticee's presence has been recorded in the register maintained by the Police Station. (উপরোক্ত উল্লেখ করে ..... তারিখে ভা:না:সু:স:র ১৭৯ নং ধারা অধীনত জারি করা জাননী মানি চলি ..... তারিখর পরা ..... লৈ হাজির হবলৈ নির্দেশ দিয়া হৈছে। জাননীদাতার উপস্থিতি থানার পঞ্জীয়ন বহীত লিপিবদ্ধ করা হৈছে।)

This acknowledgement is being issued in compliance with Section 179 of BNSS. The documents produced by the Noticee have duly been seized vide seizure memo/production memo (copy enclosed). (ভা:না:সু:স:র ধারা ১৭৯ মানি এই স্বীকৃতি প্রদান করা হৈছে। এই জাননী জারী করার লগে লগে উত্থাপিত নথি-পত্র / সামগ্রী সমূহ জব্দ করা স্মারক পত্র (কপি সংলগ্ন) র জরিয়তে যথাযথভাবে জব্দ করা হৈছে।)

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of the present investigation. (জাননীদাতাই বর্তমানর তদন্তর প্রসঙ্গত লাভ করিব পরা পরবর্তী যিকোনো জাননী মানি চলি থাকিবলৈ প্রতিশ্রুতি দিয়ে।)

[Signature of Accused/Noticee]
[জাননীদাতার হাস্তাক্ষর]

[Signature of IO]
[তদন্তকারি বিষয়া]

ANNEXURE-D

Serial No (ক্রমিক নং): ..... Police Station (আবক্ষী থানা): .....
District (জিলা) : .....
Date (তাৰিখ) :
To,(প্রতি)

Name of Accused/Noticee (অভিযুক্ত/জাননীদাতাৰ নাম).....

(Last Known Address) (শেষ জ্ঞাত ঠিকনা)

(Phone No./ Email ID (if any)](ফোন নং/ ইমেইল আইডি (যদি আছে)]

NOTICE UNDER SECTION 195 BNSS

ধাৰা ১৯৫ ভা:না:সু:স:ৰ অধীনত জাননী

Whereas the presence of aforesaid person is necessary for the purpose of enquiry into the offence reported to have been committed in case FIR No.....dated.....U/S..... registered at Police Station.....

Therefore, you are directed to appear before the undersigned at (Place).....(at time).....A.M/P.M on.....(date) to give such information relating to the said alleged offence as he/ she may possess.

Failure to attend/comply with the terms of this Notice can render you liable for legal action u/s 208 BNSS.

যিহেতু ..... আবক্ষী থানাত পঞ্জীয়ন কৰা গোচৰ নং ..... তাৰিখ ..... ধাৰা ..... গোচৰনং সংঘটিত হোৱা বুলি অভিযোগ কৰা অপৰাধৰ তদন্তৰ উদ্দেশ্যে পৰীক্ষাত উপস্থিত কৰা ব্যক্তিৰ উপস্থিতি প্রয়োজনীয়।

গতিকে আপুনি তলৰ নিম্ন স্বাক্ষৰ কাৰীৰ আগত ..... হিচাপত ..... সময়ত ..... AM/PM ..... তাৰিখে স্বয়ং হাজিৰ হ'বলৈ নিৰ্দেশ দিয়া হৈছে যাতে তেওঁ তাৰ জ্ঞান থকা মতে উক্ত অভিযোগ কৰা অপৰাধৰ সৈতে জড়িত এনে তথ্য দিব পাৰে।

এই জাননীৰ চৰ্তসমূহত উপস্থিত/মান্য নহ'লে আপুনি ভাৰতীয় ন্যায় সংহিতা, ২০২৩ ৰ ২০৮ নং ধাৰা অধীনত আইনী ব্যৱস্থা বাবে দায়বদ্ধ হ'ব পাৰে।)

(Signature)(স্বাক্ষৰ)

(Name and Designation)(নাম আৰু পদবী)

(affix seal)(সংলগ্ন ছীল)

Serial No.(ক্রমিক নং)

ACKNOWLEDGEMENT (স্বীকারোক্তি)

In compliance with the above mentioned notice dated..... issued under Section 195 BNSS 2023, the Noticee has appeared on..... from..... The Noticee's presence has been recorded in the register maintained by the Police Station.
(ওপরত উল্লেখ করা ..... তারিখে ভা:না:সু:স: ২০২৩র ১৯৫নং ধারা অধীনত জারি করা জাননী মানি চলি ..... তারিখর পরা ..... বেজাতে হাজির হোবলে নির্দেশ দিয়া হৈছে। জাননীদাতার উপস্থিতি থানার পঞ্জীয়ন বহীত লিপিবদ্ধ করা হৈছে।)

This acknowledgement is being issued in compliance with Section 195 BNSS 2023
(এই স্বীকৃতি ধারা ১৯৫ ভা:না:সু:স: ২০২৩ মানি চলি জারি করা হৈছে।)

The Noticee undertakes to continue to comply with any further notice that she/he may receive during the course of present investigation.
(জাননীদাতাই বর্তমানর তদন্তর সময়ছোৱাত লাভ করিব পরা পরবর্তী যিকোনো জাননী মানি চলি থাকিবলৈ প্রতিশ্রুতি দিয়ে।)

[Signature of Accused)/ Noticee]
[অভিযুক্ত/জাননীদাতার স্বাক্ষর]

[Signature of IO]
[তদন্তকারী বিষয়া স্বাক্ষর]

ANNEXURE-"E"

NOTICE ISSUE REGISTER

Sl No. PR GDE No. Dated				
Under Section Notice issued U/S (Please specify)	35(3) BNSS 41 A CrPC	94 BNSS 91 CrPC	179 BNSS 160 CrPC	195 BNSS 175 CrPC
Booklet S. No., Name & Telephone number of IO				
Name/address/telephone number of person called by I.O.				
Date & time given for joining/appearance				
Actual date & time of joining/appearance				
Action taken on failure to comply				
GDE No. of arrival of Notice and information to IO (if not available)				