



ODISHA POLICE  
CRIMINAL INVESTIGATION DEPARTMENT  
CRIME BRANCH

---

**CRIME BRANCH CIRCULAR No. 03 /2025**

**Sub: Standard Operating Procedure on  
Receipt and Service of Summons**

**1. Introduction**

Attendance of witnesses, accused etc. in any inquiry, trial or other proceeding plays a pivotal role in the Criminal Justice System. Special provisions have been made in Chapter-VI of the BNSS-2023 for faster and effective service of summons especially by use of technology.

**Orissa Service of Summons of Criminal Courts Rules, 1977** was framed in pursuance to Sec. 62 Cr.P.C regarding service of summons which now corresponds to Sec. 64 of BNSS. The OSSCC Rules, 1977 provides as follows:-

**Summons issued by the Criminal Courts under the Code of Criminal Procedure, 1973 (Act II of 1974), shall be served by the Process Serving Staff under their control :**

**Provided that in cases exclusively triable by a Court of Session, the Presiding Officer may direct, in special circumstances and for reasons to be recorded in writing that summons to a witness be served through a police officer.**

However, the competent court if issues summons to police for service then same may be served in the manner provided hereunder:

**2. Relevant provisions under BNSS, 2023.**

**Summon (Sec. 63 BNSS):**

- A document in writing, in duplicate, signed by the presiding officer of such court or by such other officer as the High Court may, from time to time, by rule direct, and shall bear the seal of the court; or
- In an encrypted or in any other form of 'Electronic Communication' and shall bear the image of the seal of the Court.

*"The term 'Electronic Communication' as defined in Sec-2 (i) of BNSS "electronic communication" means the communication of any written, verbal, pictorial information or video content transmitted or transferred (whether from one person to another or*

*from one device to another or from a person to a device or from a device to a person) by means of an electronic device including a telephone, mobile phone or other wireless telecommunication device, or a computer, or audio-video player or camera or any other electronic device or electronic form as may be specified by notification, by the Central Govt.*

### **3. Process**

#### **A. Service of Summon on Individual/Person (Sec. 64 BNSS):**

- i. Summon can be served by a police officer, an officer of the court issuing it or any other public servant.
- ii. It shall, if practicable, be served personally on the person summoned by physically delivering or tendering a duplicate copy of the summons.
- iii. Summons bearing the image of Court's seal may also be served by electronic communication in such form and such manner as State Govt. may by rules, provide.

#### **B. Service of Summon on Corporate Bodies, Firms, and Societies (Sec. 65 BNSS):**

In case of summon issued against a Company, Firm, Association of Individuals, summon may be served

- i. Directly on its Director, Manager, Secretary, or any other officer or Partners of the Company or Corporation, Firm, Association of individual, or
- ii. By a letter sent by registered post addressed to the Director, Manager, Secretary, or any other officer or Partners of the Company or Corporation, Firm, Association of individuals in India.

#### **C. Service of Summon When Person Not Found (Sec. 66 & 67 BNSS):**

When the serving officer, in exercise of due diligence, can't find the person upon whom the summon was issued, then such officer may serve the summons:

- i. By delivering or tendering a duplicate copy of summons with one of the adult member of his family residing with him.
- ii. Such serving officer, if so required, shall obtain signature of the person who received summon on the back of the other duplicate.
- iii. When service of summon could not be effected as mentioned above, the service officer shall affix one of the duplicate summon to some conspicuous part of the house / place in which the person summoned ordinarily resides.

#### **D. Service of Summon on Active Government Servant (Sec. 68 BNSS):**

- i. In case of summon issued against an active Govt. Servant, ordinarily the court shall issue summon directly to the head of the office where the person is employed.

- ii. In case summon is received by the Police officer, the serving officer shall serve the summon as described above or by issuing a letter to the head of the office, enclosing the copies of summon in duplicate.
- iii. In all the above cases, the heads of the office shall submit the Service Report (SR) to the courts after due service on the person summoned. This should be intimated to the head of the office by the officer who is serving the summon.

**E. Service of Summon Outside Local Limit (Sec. 69 BNSS):**

- i. Ordinarily, the court issues summons in duplicate to a Magistrate within whose jurisdiction the person summoned resides for service.
- ii. But in cases, when such summons is received by the Police Station and on due verification it is ascertained that such person is residing in another jurisdiction, then the OIC may return such summon to the issuing court with a proper endorsement as to the reason of such return.
- iii. The OIC may mention the address of person summoned if, ascertained upon enquiry.

**F. General Principles for Service of Summon by Police Officer:**

- i. As far as practicable, the Police officer shall serve the summon so issued to him by any court as per the provision mentioned under Para- 1 to 4 herein above. In case wherever possible, after proper verification, the summons may be served by electronic means.
- ii. The serving officer shall ensure proper acknowledgement of the person receiving summon on one of the duplicates and return the same to the issuing court (T) OIC mentioning therein the manner of service or otherwise.
- iii. In case summon is served by means of electronic means, then the printout from such electronic device shall be taken out and forwarded to the issuing court along with the duplicate copy of summon duly attested by the OIC/Serving officer.

**G. Summon Register to be Kept at Police Station:**

All Police Station should maintain a Summon Register in the format provided below:

Sl. No.	By whom issued	Nature of Process and Section of law with case reference	Name & Details of the person entered in the Summon (name, address, mobile number, email etc.)	Date of Issue	Date & Hr of receipt by PS	Date of Posting/ Appearance	Date and hour of endorsement for service	How, when, by whom and manner of service	Why not served/ executed	Remarks
1	2	3	4	5	6	7	8	9	10	11

**4. Do's**

- a. Serve summons personally or through electronic means as per the outlined procedures.
- b. Obtain proper acknowledgment of receipt on the duplicate copy.
- c. Return the duplicate copy to the issuing court with details of service.

- d. Use registered post for serving summons to corporate bodies and government offices.
- e. Ensure all summons details are accurately entered in the register.

**5. Don'ts**

- a. Do not serve summons without proper verification.
- b. Do not neglect obtaining signatures on the duplicate copy.
- c. Do not fail to affix a duplicate summon to the residence if the person is not found.
- d. Do not retain unserved summons without proper endorsement and reason.
- e. Do not serve summons outside local limits without proper jurisdictional procedure.

**Note: This Standard Operating Procedure (SOP) is subject to modification based on feedback from field units, post implementation of the new criminal laws.**

*Vine*  
16/1/25

**(Vinaytosh Mishra, IPS)  
Director General of Police,  
CID Crime Branch, Odisha.**

**Memo No. 832 /CID-Law**

**Date: 16.01.2025.**

Copy forwarded to:

- All Dist. SsP including DCsP, Bhubaneswar / Cuttack, SsRP Cuttack/ Rourkela, SsP HRPC/ CAW & CW/ EOW/ STF
- D.G of Police, HRPC, Director, SCRB, Addl. D.G of Police Railways & Coastal Security, Commissioner of Police, Bhubaneswar - Cuttack,
- IGP CAW & CW, IGP Training, IGP EOW, DIGP STF
- All Range IsGP / DIsGP  
for information and necessary action.

*Vine*  
16/1/25

**Director General of Police,  
CID Crime Branch, Odisha.**

---

**Address: Buxibazar, Cuttack – 753 001, Tel: 0671-2339622  
email: [law.cidcb@odishapolice.gov.in](mailto:law.cidcb@odishapolice.gov.in)**