



Government Of Maharashtra
Office of the Director General of Police, Maharashtra State
Maharashtra State Police Headquarters, Shahid Bhagat Singh Marg, Colaba, Mumbai 400 00

No.DGP/23/54/Accused Arrest-S.C. guidelines /135/2021

Mumbai, Date 10/08/2022

Subject :- Law of arrest and Hon'ble Supreme Court's Guidelines-
Compliance with.

This is with reference to Standing Order No. 3 of 2022 on the subject .
"Law of Arrest and Hon'ble Supreme Court's Guidelines-Compliance With".
issued vide No. DGP/23/54/Accused Arrest- S.C.guidelines/135/2021.
dated 20.07.2022.

2. Standing Order was issued pursuant to fresh guidelines disseminated by
the Apex Court regarding arrests in its judgment reported as Satender Kumar
Antil v. Central Bureau of Investigation & Anr. on July 11, 2022. Standing
Order broadly lists out the guidelines pronounced in major judicial orders by
the Supreme Court and Delhi High Court which are incremental in nature to
strengthen the arrest procedure contained in Chapter V of the Code of Criminal
Procedure, 1973, and it should be implemented in consonance with the Code or
any other special laws providing for arrest of the accused persons.

3. The Standing Order has unambiguously brought out the Supreme
Court's intent and purpose in issuing the guidelines which has reiterated that it
stands for the right of a person not to be subjected to arbitrary or unwarranted
arrest or detention, unless provided by law. It has further asseverated that no
one should be deprived of his liberty, except when it is justified or necessary.
It also provides for accountability mechanism for disciplining the police
officers who may disregard the law of arrest as it stands now.

4. Also, to ensure that its directions are implemented in their true spirit.
the Supreme Court has now directed in Satender Kumar Antil that all State
Governments, Union Territories and High Courts shall file affidavits / status
reports within a period of four months regarding the implementation of the
guidelines issued by it. Hence, the Unit Commanders are requested to strictly
monitor the implementation of the Standing Order and maintain records as
directed by the Supreme Court in Antil's case as the affidavit / status report
shall necessarily be substantiated with data provided by the units.

(Kulwant K. Sarangal)

Addl. Director General of Police (L.& O.),
Maharashtra State, Mumbai.

To,

All Commrs. Of Police (Including Rly.)
All Supdts. Of Police (Including Rly.)

Copy to,

Director General, Anti Corruption Bureau, Maharashtra State, Mumbai.(WCs)
The Commissioner, State Intelligence Department, Maharashtra State, Mumbai.
Addl. Director General of Police, C.I.D., Maharashtra State, Pune
Addl. Director General of Police, Railway/ Training / Traffic / E.O.W. / A.T.S. /P.C.R./
Force One / S.R.P.F., Maharashtra State, Mumbai.
All Range Spl. Inspector General of Police / Dy. Inspector General of Police
Spl. Inspector General of Police, Cyber / P.A.W. / S.P.U., Maharashtra State, Mumbai
Spl. Inspector General of Police, Motor Transport Dept., Pune /A.N.O., Nagpur
Spl. Inspector General of Police, S.R.P.F., Pune / Nagpur
Director, Maharashtra Police Academy, Nashik / Police Wireless, Pune.
Director, Maharashtra Intelligence Academy, Pune / Dy. Director, D.T.S., Nashik
All Commndts. S.R.P.F., Group No. 1 to 16.
All Principals, Police Training School
Principal, U.O.T.C., Nagpur.