

**PART C-ATTENDANCE AS WITNESSES AND EVIDENCE OF
PERSONS RESIDING BEYOND THE LIMITS OF INDIA.**

1. The issue of warrants for the arrest beyond the limits of India of persons whose attendance is required to give evidence but who are at the time resident beyond the limits of India is illegal and should not be resorted to as warrants for the arrest of a witness can under section 82 of the Code of Criminal Procedure, only be executed at some place in India.

Warrant for the arrest of a witness outside India.

^[1]2. Every warrant should state as shortly as possible the special matter on which it proceeds and should be in printed Form No.2 given in Second Schedule of the Code of Criminal Procedure and shall be duly machine numbered which shall be entered in the relevant column of Register No. XVI contained in Rules and Orders of Punjab and Haryana High Court, Volume-VI Part B-IV. This Form expresses on the face of it the special cause for which it is granted viz., that the party “stands charged with the offence of (stating of offence)”. A warrant issued under Section 90 should in the like manner be made out in Form No.9 of Second Schedule. A strict adherence to the form of warrant of arrest prescribed by the Code will tend to prevent their being granted irregularly and without enquiry as to whether the circumstances justify the same.

Prescribed Form of Warrant which should state the special cause on which it is granted.

^[1]3. In all warrants and processes of every description whether under the Code of Criminal Procedure or any other law in force, the father’s name, nationality and the residence of the person to be arrested, summoned etc. should be entered so as to place his identity beyond all doubt. The warrant should also set forth the Court from which it issues and the name of the District along with the complete particulars of the case.

What a warrant or process should contain.

[1] Substituted vide C.S.No.168 Rules/II.D4 dated 23rd November, 2012.

Care to be exercised while issuing the warrant.

^[1]4. (i) The Presiding Officer of the Court (or responsible officer specially authorized for the purpose in case of High Court) issuing the warrant should put his full and legible signatures on the process and is to ensure that Court seal bearing complete particulars of the Court is prominently endorsed thereon. It must be directed to a particular police officer (or authority), and unless intended to be open-ended, it must be returnable, whether executed or unexecuted, on or before the date specified therein.

(ii) The Presiding Officer of the Court is to ensure that long time is not given for return or execution of warrants and he must insist on the compliance report on the action taken thereon by the Officer-in-Charge of the concerned police station or the concerned authority. The Officer-in-Charge of the concerned police station or the concerned authority should be directed to submit clear, cogent and legible report so as to facilitate fixing of responsibility in case of misuse. Before the warrant is issued, it must be entered in the said Register. The Presiding Officer of the Court at the time of quarterly inspection of his Court is to confirm that every such process is always returned to the Court with due report and placed on the record of the concerned case.

Cancellation of warrant.

^[1]4-A. Whenever the warrant issued by the Court is cancelled, the order cancelling the warrant should be recorded in case file and the said Register. The copy of the order should be sent to the Officer-in-Charge of the concerned police station or the concerned authority requiring the process to be returned unexecuted forthwith. The date of receipt of the unexecuted warrant should be entered in the said Register. Copy of such an order should also be supplied to the accused.

[1] Substituted vide C.S.No.168 Rules/II.D4 dated 23rd November, 2012.

APPENDIX**LIST OF NORTHERN RAILWAY OFFICIALS TO WHOM
SUMMONES SHOULD ORDINARILY BE ADDRESSED**

Statement showing designation of Heads of Offices of Operating, Locomotive and Engineering Departments through whom summonses are to be served

Head of Office	Officers through whom summons should be served	Staff employed under each
FEROZEPORE DIVISION		
.Sub-Divisional Officer of____ Ferozepore. Kasur. Ludhiana. Jullundur.	Sub-Divisional Officers of these places.	Permanent way inspectors, sub-way inspectors, inspectors of works, sub-inspectors of works, overseers, works clerks, mistris, carpenters, keymen, gangmen, mates, surveyors and sanitary inspectors.
2. Assistant Signal Engineer, Ferozepore.	Assistant Signal Engineer	Block inspectors, sub-assistant block inspectors, assistant signal and inerlocking inspector, sub-assistant inerlocking inspector, time- keepers, mistris, carpenters, painters, blacksmiths, hammermen, fitters, coolies, cleaners, batterymen, linemen, trolleyman, khalasis.
3. Loco. Foreman of- Ludhiana. Ferozepore. Jullundur.	Loco. foreman at these places.	Drivers shunters, firemen, shedmen, fuel munshis, school masters, fitter and fitter coolies, store munshis, shed menial staff.
4. Head Train Examiner of____ Ferozepore. Jullundur. Hissar.	Head train examiners at these places.	Train examiners, number takers storemen, wheelmen, cleaners wrenchmen, greasers, hammermen, carpenters, blacksmiths and bhishtis and box porters.

Head of Office	Officers through whom summons should be served	Staff employed under each
FEROZEPORE DIVISION-CONTD.		
5. Divisional Inspector, Power__ (Fuel) "S" (Fuel)"N" Pumps Rolling stock	Divisional Inspector__ Loco. Ferozepore Pumps, Ferozepore Rolling stock, Ferozepore	Box porters
6. Traffic Inspector of__ Ferozepore. Jullundur. Ludhiana.	Traffic Inspectors at these places	Shunting Jamadars, pointsmen cabinmen, shunting porters
7. Train Lighting Electrician, Ferozepore	Train Lighting Electrician, Ferozepore	Electricians, electric examiners assistant electric coolies and number takers
Station Master of__ Ferozepore Cantonment Ferozepore City. Macleod Ganj Road. Abohar. Lohian Khas. Nawanshahr. Doaba. Hoshiarpur. Tarn Taran Patti. Moga Tahsil. Jagraon City. Jullundur. Ludhiana. Amritsar.	Station masters at these places	Station masters, assistant Station masters, signallers, goods clerks, transit clerks, booking clerks, parcel clerks, correspondence clerks, yard foremen, shunting jamadars, shunting porters, cabinmen, signal and pointsmen, luggage porters, gatemen, sweepers

Head of Office	Officers through whom summons should be served	Staff employed under each
CONTROLLER OF STORES		
Foreman, Kalka ..	Foreman, Kalka ..	Clerk, motor fitters, carpenters, riveters, painters, shop jamadar, lifters, re-packers, machineman blacksmiths, hammermen, copper and tin smiths, millwright, moulders, cranemen

Head of Office	Officers through whom summons should be served	Staff employed under each
DELHI DIVISION		
1. Sub-Divisional Officer- Saharanpur. Ambala. Bhatinda. Jind Dharampur.	Sub-Divisional Officer of these places.	Permanent-way inspectors, sub-ways inspectors, sub-inspectors, of works, overseers, time-keepers, mistris, carpenters, Keymen, gangmen, gatemen, mates, sub-engineers surveyors and sanitary inspectors.
2. Loco Foreman- Delhi. Gaziabad. Saharanpur. Ambala. Bhatinda. Jind. Shakur Basti. Kalka.	Loco Foreman at these places.	Drivers, shunters, firemen, shedmen fuel munshis, school masters, fitters and fitter coolies, store munshis, and shed menial staff.
3. Station Master- Meerut Cantonment. Meerut City. Saharanpur. Ambala Cantonment. Rajpura. Ludhiana. Bhatinda. Jind. Shakur Basti. Kalka. Simla. Gahaziabad. N.W.Ry.,Delhi and Goods Supervisor, Delhi, Sadar Station. Superintendent, Delhi.	Station Master at these places.	Station master, assistant station master, signalers, goods clerks, transit clerks, train clerks booking clerks, parcel clerks, ticket collector phone clerks, correspondence clerk yard foremen, chaukidars, shunting jamadars, shunting porters, cabinmen, signal and points men, luggage porters, gatemen, sweepers water men, waiting room staff, running room staff, guards and second Guards, gunners, markers, telegraph peons and Station peons.
4. Head Train Examiner- Delhi. Ghaziabad. Saharanpur. Ludhiana. Bhatinda. Kalka.	Head Train Examiners at these places.	Train examiners, number takers store men, wheel men, cleaners wrenchmen, greasers, hammer men, carpenters, blacksmiths and bhishtis.

Head of Office	Officers through whom summons should be served	Staff employed under each
5. Divisional Electrician, Delhi	DELHI DIVISION.....CONTD. Divisional Electrician.	Electricians, electric examiners, assistant electric examiners, electric coolies, and number takers.