

**GOVERNMENT OF MIZORAM
LAW & JUDICIAL DEPARTMENT
MIZORAM NEW CAPITAL COMPLEX**

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CIRCULAR

Dated Aizawl, the 15th Sept., 2025

Section 63-70 of Bharatiya Nagarik Suraksha Sanhita, 2023: Form of Summons, Process of Receipt, and Repository

1. Issuance of Summons:

- (i) Every summons issued by a Court under BNSS shall be 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 or direct, and shall bear the seal of the Court.

2. Electronic summons:

- (i) In an encrypted or any other form of electronic communication and shall bear the image of the seal of the court or digital signature.
- (ii) The police officer serving the summons must verify the authenticity of the recipient's identity before proceeding with electronic service.

3. Modes of Service:

- (i) The police officer must communicate with the recipient (witness or accused) via their registered mobile number or electronic communication address. The contact details are presumed correct unless proven otherwise.
- (ii) If electronic delivery is not feasible, summons shall be served through conventional methods such as registered post or personal delivery.
- (iii) When sent via encrypted messaging apps (WhatsApp, Telegram or other social networking system) or other electronic modes (SMS, MMS, email), the summons remains stored in the respective application on the recipient's device as part of its repository.
- (iv) Every police station shall maintain a register as per the prescribed format in **Annexure-A**.

4. Service of Summons:

- (i) Service of summons on a company or corporation may be effected by serving it on the Director, Manager, Secretary or other officer of the company or corporation.
- (ii) Service of a summons on a firm or other association of individuals may be effected by serving it on any partner of such firm or association or by letter sent by registered post addressed to such partner.
- (iii) Where the person summoned cannot, by the exercise of due diligence, be found, the summons may be served by leaving one of the duplicates for him with some adult member of the family residing with the person,

and the person with whom the summons is so left shall sign a receipt therefore on the back of the duplicate.

(iv) If service cannot be effected, the serving officer shall affix one of the duplicates of the summons to some conspicuous part of the house or homestead in which the person summoned ordinarily resides.

(v) In case of a government servant, the summon shall be served to the head of the office and return to court with endorsement.

(vi) Service of summons outside local limits shall be sent (in duplicate) to a Magistrate within whose local jurisdiction the person summon resides.

5. Proof of Service:

(i) The police officer must collect an acknowledgment of receipt for electronically served summons.

(ii) A hard copy of the acknowledgment shall be obtained, duly attested with officer's designation and seal.

(iii) The document, along with formal report, must be submitted to the court for record.

(iv) In any case where the serving officer is not present at the hearing of the case, an affidavit, purporting to be made before a Magistrate and a duplicate of the summons purporting to be endorsed shall be admissible in evidence.

(v) All summons served through electronic communication under section 64-71 (both inclusive) shall be considered as duly served and a copy shall be attested and kept as a proof of service of summons.

Sd/-T.L. GUITE

Secretary to the Govt. of Mizoram

Memo No. C.31017/2/2024 – L&J

: Dated Aizawl, the 15th Sept., 2025

Copy to:

1. Secretary to the Governor of Mizoram.
2. P.S. to Chief Minister, Mizoram.
3. P.S to Speaker/Deputy Speaker, Mizoram.
4. P.S to all Ministers/Minister of State, Mizoram.
5. P.S to Chief Secretary, Mizoram.
6. P.S to Secretary, Home Department.
7. District & Sessions Judge, Aizawl/Lunglei/Champhai.
8. All Superintendents of Police, Government of Mizoram for information and necessary action.
9. Guard File.


(R.ZOTHANTLUANGI)

Under Secretary to the Govt. of Mizoram
Law & Judicial Department

Annexure – A

Register to be maintained u/s 64(1) of BNSS,2023.

1. Serial number.
2. Number and nature of process, divided into:
 - 2.1 Summons:
 - 2.2 Warrant:
 - 2.3 Proclamation and Attachment:
3. Name of issuing court:
4. Name, mobile, number, email, unique government identity number, social media address and residential or/and working address of the person against whom the process issued:
5. FIR/CR number and Section(s) of law:
6. Date of receipt in the Police station:
7. Name of the officer deputed:
8. Date when process made over to officer:
9. Date of his return to police station:
10. Method of service:
11. Date of return of process or of submission of report to issuing court:
12. Remarks:

(Any modification, if required, in the above list shall be made by an order from competent Authority)