

STANDARD OPERATING PROCEDURE (SOP) REGARDING GUIDELINES FOR OBSERVING TIMELINES FOR ISSUANCE OF PROSECUTION SANCTION AS

HOME DEPARTMENT CHANDIGARH ADMINISTRATION STANDARD OPERATING PROCEDURE sop FOR PROSECUTION SANCTION UNDER SECTION 218(1) OF BHARATIYA NYAYA SANHITA-2023 1200 Dated: Objective: The objective Of this Standard Operating Procedure (SOP) is to provide Scope: guidelines for observing timelines for issuance of prosecution sanction as required under section 218 of BNSS, 2023. This SOP is applicable in respect of person, who -is or was a judge or Magistrate or a public servant not removable from his office save by or with the sanction of the Government (Centre or State, as the case may be) is accused of any offence alleged to have been committed by him while acting or purporting to act in the discharge of his official duty, no Court shall take cognizance of such offence except with the previous sanction save as otherwise provided in the Lokpal and Lokayuktas Act, 2013. Procedure for seeking and issuance of prosecution sanction: I. That the investigating officer or the SHO concerned shall submit a detailed report along with all relevant evidence/documents collected during investigation, which is necessary to prove the offence against the Public Servant (as mentioned in scope above) through proper channel to the Senior Superintendent of Police, U.T, Chandigarh, who further submit the same to the State Government through Director General of Police, U.T, Chandigarh for seeking the sanction for prosecution as required U/s 218 of BNSS

2. That no sanction shall be required in case of a public servant accused of any offence alleged to have been committed under section 64, section 65, section 66, section 68, section 69, section 70, section 71, section 74, section 75, section 76, section 77, section 78, section 79, section 143, section 199 or section 200 of the Bharatiya Nyaya Sanhita, 2023

3. That in case, the Government fails to take a decision within a period of 120 days from the date of receipt of the request for sanction, the sanction shall be deemed to have been accorded by such Government. Chandigarh, dated the 11 September, 2025 Endst. 12Q9-- Home Secretary Chandigarh Administration. Dated 04-- 2025 I. The Director General of Police, UT Chandigarh 2. The District & Sessions Judge, Sector-43 Chandigarh. 3, The District Magistrate, UT Chandigarh. Sup de (Police) For Home Secretary, Chandigarh Administration.