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COURT OF RECORD

Arrest Not Mandatory for Signature Samples

Delhi High Court Clarifies Investigative Powers

Sheikh Rayees • December 28, 2024

PUBLISHED REPORT

The Delhi High Court has upheld the constitutional validity of the proviso to Section 311A of the Code of Criminal Procedure (CrPC), ruling that magistrates can order individuals to provide specimen signatures without requiring their arrest. The Court emphasized that the provision is directory rather than mandatory, allowing flexibility in its application during investigations. A Bench of Justices Prathiba M Singh and Amit Sharma clarified that interpreting the term "shall"...

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FULL STORY