

**Criminal Procedure Code, 1973 (II of 1973) S. 170 - We are, in fact, faced with a situation where contrary to the observations in *Joginder Kumar v. State of UP & Ors. 1994 PLRonline 0004 (SC)*, how a police officer has to deal with a scenario of arrest, the trial courts are stated to be insisting on the arrest of an accused as a pre-requisite formality to take the chargesheet on record in view of the provisions of Section 170 of the Cr.P.C. - We consider such a course misplaced and contrary to the very intent of Section 170 of the Cr.P.C.**

*Held*, In the present case when the appellant has joined the investigation, investigation has completed and he has been roped in after seven years of registration of the FIR we can think of no reason why at this stage he must be arrested before the chargesheet is taken on record

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