

POLICE CIRCULAR ORDER No. 95

Withdrawal
from
prosecution

It has been brought to my notice that P.M. Rule 285 regarding withdrawal from prosecution is not being strictly observed by some officers. Though section 494, Cr.P.C. allows discretion to the Public Prosecutor to withdraw from prosecution with the consent of the Court, Police Officers acting as Public Prosecutors cannot escape the restrictions imposed by P.M. Rule 285. In other words, they must invariably obtain approval order for such withdrawal from their S.Ps' prior to filling any withdrawal petition. Also, if after the filling of such withdrawal petition the Court wants to know whether approval of the Superintendent of Police has been taken under P.M. Rule 285, such information must be supplied.

Police Manual reference

(Previous Police Circular Order No. 14 of 1954)

285