

**Hon'ble Alok Singh, J.**

Mr. Jitendra Chaudhary, Advocate for the petitioner.

Mr. V.S. Pal, AGA for the State.

Mr. Jitendra Chaudhary, learned counsel for the petitioner, submits that petitioner is not named in the FIR, police is adamant to arrest her only on the basis of disclosure/confessional statement of the co-accused; disclosure/confessional statement made by co-accused cannot be made basis for conviction of the petitioner.

Mr. V.S. Pal, learned AGA, submits that since maximum punishment prescribed for the offences mentioned in the FIR is not more than seven years, therefore, before proceedings further, I.O. shall issue notice under Section 41-A of the Code of Criminal Procedure.

Mr. Jitendra Chaudhary, learned counsel for the petitioner, in view of the statement made by Mr. V.S. Pal, learned AGA, for the State, seeks permission to withdraw this petition with liberty to file fresh, if need be.

Permitted to be withdrawn with the aforesaid liberty.

IA No. 548 of 2015 and CLMA No. 1382 of 2015 also stand disposed of accordingly.

**(Alok Singh, J.)**

**Vacation Judge**

30.01.2015