

Order Below Exhibit -1
U/s 256 of Cr.P.C.

On perusal of the record, It is found that this case is the complaint case that is a private complaint was filed by the complainant against the accused persons. Further the case is neither proceeded by the complainant nor his advocate but as the case is for the pre charge evidence and complainant is not present before the court since last four date of hearing.

Non-appearance or death of complainant

Section 256 of Cr.P.C. Enshrined that If the summons has been issued on complaint, and on the day appointed for the appearance of the accused, or any day subsequent thereto to which the hearing may be adjourned, the complainant does not appear, the Magistrate shall, notwithstanding anything herein before contained, acquit the accused, unless for some reason he thinks it proper to adjourn the hearing of the case to some other day:

Provided that where the complainant is represented by a pleader or by the officer conducting the prosecution or where the Magistrate is of opinion that the personal attendance of the complainant is not necessary, the Magistrate may dispense with his attendance and proceed with the case.

By considering the facts and circumstances of the case, sufficient opportunity has been given to the complainant to proceed with his case but he fails to do so & Hence this court, hereby pass the following Order-

ORDER

The Present complaint is dismissed and the accused persons are Discharged from the charge.

Pronounced in the open Court on today i.e. 22nd Day of July, 2018.

Place : Jhalod

(G. D. Sharma)
Add. Judicial Magistrate First Class
Jhalod
UIC Code : GJ 01360