

MHAU080025472022



S.C.C./1138/2022.
State of Maharashtra Vs. Prakash Bawiskar.

ORDER BELOW EXH. 1

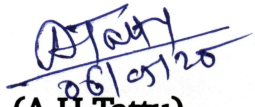
In view of the order bearing No. B(Gen.)-1001/2025/1684 dated 02/09/2025, passed by our Hon'ble Parent High Court, Special Drive was to be conducted for disposing of petty and stale cases under Section 256 of the Cr.P.C., 1973 / Section 279 of BNSS, 2023 and Under Section 258 of the Cr.P.C., 1973 / Section 281 of BNSS, 2023.

02. Perused the record. The alleged offence is punishable under Section 65(e) of Maharashtra Prohibition Act. On going through case record it reveals that matter is pending to secure presence of accused. However, prosecution failed to file C.A. Report. In the absence of C.A. report it is very difficult to arrive at the conclusion that whether seized article is antiseptic, medicinal, toilet preparation or alcoholic. Considering the nature of offence and proceeding, no purpose would serve to keep the matter as it is for years together. Hence, following order is passed:-

ORDER

1. Proceeding of this matter is stopped vide section 258 of the Code of Criminal Procedure.
2. The accused stands discharged and his bail bonds stands canceled.
3. Seized muddemal property i.e. liquor and other material be sent to Excise Department for disposal as per rule.

Date – 06/05/2026.


(A.H. Tattu)
Judicial Magistrate, F.C.,
Court No.3, Sillod.