

IN THE COURT OF METROPOLITAN MAGISTRATE,
71st COURT, BANDRA, MUMBAI.
ORDER BELOW EXH.01 IN C. C. NO. 1360/PS/2023
State (B.K.C. P.S.)

V/s.

Roshan Omprakash Tiwari

Today is Special Drive for disposal of unattended, petty, steal and ineffective cases be taken up. Accused alleged to have committed an offence punishable under section 185 of M. V. Act. Case is more than 01 year old. In **Mulchand Motilal Raka Vs. State of Maharashtra, 1996(1) Bom. C.R.316**, it was held that Section 258 of Cr. P.C., can be resorted to where the special or unusual circumstances exists, such as non-appearance of the witnesses/accused before the Court for considerable time. Prosecution failed to secure the presence of the accused. This is a fit case wherein provisions of section 258 of Cr.P.C. can be resorted to stop the proceeding. No purpose would serve by continuing the matter. Hence, following order is passed.

ORDER

1. Proceeding is stopped vide section 258 of Cr.P.C.
2. Accused is discharged. His bail bonds, if any, stand canceled.

Place : Mumbai.
Date : 15/06/2024.
SRD.

Sd/-
Metropolitan Magistrate
71st Court, Bandra, Mumbai.