

**ORDER BELOW EXH.1**

1. Hon'ble High Court, Bombay vide letter No.: B/(Gen)-1001/2023/ dated 01.04.2023 given directions to conduct special drive to dispose of case under section 256 and 258 of Cr.P.C. Accordingly, Hon'ble Principal & District Judge, Gondia vide letter bearing Endt. No. 1158/2023 dated 06/04/2023 issued directions to hold special drive to dispose off the cases.
2. This proceeding is under section 65(e) of Maharashtra Prohibition Act and is summary in nature. The accused is absent since long. The C.A. report is not filed on record. The prosecution has failed to secure presence of accused by issuing summons / warrants. Therefore, there is no propriety in keeping the case pending. Hence, this is a fit case to use power conferred by section 258 of Cr.P.C. Hence, I proceed to pass following order:

**ORDER**

1. The proceeding is hereby stopped u/s. 258 of Cr.P.C.
2. The accused is hereby discharged from the offence p/u/s. section 65(e) of Maharashtra Prohibition Act
3. The bail-bonds of the accused is canceled if any.
4. Cash security if any be refunded to accused after appeal period is over.
5. Property, if any, be sent to concerned Excise Department for disposal according to law after expiry of appeal period.

Gondia  
Date: 25.04.2023

(S. D. Waghmare)  
J.M.FC (5<sup>th</sup> Court), Gondia.

SCC No. 2902/2022  
CNR: MHGO-030042572022.  
State Vs. Devraj Amrut Madavi

*I affirm that the contents of this P.D.F file order/judgment are same word for word as per original judgment.*

*Name of steno : Self Typed*

*NName of court : S. D. Waghmare,  
5<sup>th</sup> Jt. C.J.J.D.& J.M.F.C., Gondia,*

Judgment/order Date : 25.04.2023

Judgment/order signed by Presiding Officer on : 25.04.2023

Judgment/order uploaded on : 25.04.2023