

MHBI150015472022



ORDER BELOW EXH.1 IN

Sum Cri Case NO. 218/2022

State V/s Sakharam Dnyanoba Misal

01. In view of directions of The Hon'ble High Court, Bombay and letter of The Hon'ble District Court Beed, vide letter no.272/2025, dated 13/02/2025 for information and compliance. Accordingly, special drive is held on today and the present matter is kept in Special Drive for disposal.

02. Here, I would like to refer Section 258 of the Code of Criminal Procedure (hereinafter referred as the Cr.P.C.) which states that, in any summons- case instituted otherwise than upon complaint, a Magistrate may for the reason recorded by him, stop the proceeding at any stage without pronouncing any judgment and where such stoppage of proceeding is made after the evidence of the principal witnesses has been recorded, pronounce a judgment of acquittal, and in any other case, release the accused, and such release shall have affect of discharge.

03. Perused roznama and charge-sheet. The present case was registered on 07.10.2022. On perusal of the same it appears that, since 30.12.2022, matter is pending for securing presence of accused . Despite directions, the police failed to file the report of Summons on record. As such, the case has remained idle since long. The prosecution has failed to file Chemical Analyzer report till this date.

04. Today, the matter is taken under consideration for implementation of removing stale and ineffective stalk cases under special drive. Considering the nature of present case it is a fit case for disposal under the policy of special drive. Therefore, in my opinion that this is a fit case to invoke powers under Section 258 of the Cr.P.C. and to stop the proceeding. In view of the above reasons I pass the following order.

- ORDER -

- 1] This proceeding of the case is hereby stopped as per Section 258 of the Cr.P.C.
- 2] The accused is discharged for the offence punishable under Section 65(e) of The Maharashtra Prohibition Act.
- 3] The Muddemal property be sent to State Excise Department for disposal as per law.

Date :19/03/2025
Patoda

(Smt.S.N. Nikam)
Judicial Magistrate, F.C.,
Patoda.

:: C E R T I F I C A T E ::

“I affirm that the contents of this PDF file are word to word as per original Judgment/order”.

Sd/-
(S.S.Daskhedkar)
Steno Grade-III

(a)	Dictated on	: 19/03/2025
(b)	Transcribed on	: 19/03/2025
(c)	Checked & signed on	: 20/03/2025