

R.C.C. No. 1639/2015

State Vs. Rohit Gaikwad

Order Below Exh.01

I have perused the record. The final report has been filed under Section 279, 304 A, of IPC & Section 184 of M.V Act. Inspite of issuing repeated summons/warrant, the accused is remained absent. The proclamation was issued. Despite this accused has not found.

2. Matter is more than 10 years old and pending for same stage since long. Moreover, it is seen that the accused is resident of Kamothe, Navi Mumbai. There is no likelihood that the accused will get find and matter will be proceeded in the near future. The matters like present one has been pending for same stage since long time is liable to be stopped under Section 258 of Cr.P.C. The matter is old. The IO has not conducted test identification parade of accused as well as the said vehicle involved in the crime. Thus, keeping the file open for trial would be a futile exercise.

3. The matter is registered as RCC. However, the summons trial procedure is applicable to the present case, as the final report has been filed for the offences punishable under Section 279, 304 A, of IPC & Section 184 of M.V Act. Thus, it would be just and proper to stop the proceeding under Section 258 of Cr.P.C. Hence, the following order.

ORDER

1. RCC no. 1639/2015 is hereby stopped u/s 258 of Cr.P.C.
2. Accused is discharge.
3. Bail Bonds and proclamation stand canceled.

Date: 28.07.2025

(Omkar A. Sane)
Judicial Magistrate First Class,
2nd Court, Belapur, Navi Mumbai.