

Order below Exh.1

The present case is filed against the accused for the offence punishable under Section 4 read with Section 21 of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA).

2. As per Section 514(2)(a) and Section 515(1)(a), Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, for offences punishable with fine only, cognizance must be taken within six months from the date of the offence. The offence under Section 4 of the COTPA is punishable with fine only as per Section 21. Perusal of the record reveals that the alleged offence took place on 25/06/2025 and report was filed on 01/04/2026. No justification for such delay is mentioned. Further, no application for condonation of delay is filed by the concerned police station. Since the report was filed after more than six months from the date of commission of offence, taking cognizance is barred by the law of limitation as stated above. In this light, no purpose would be served in keeping the present matter pending. Hence, the following order.

O R D E R

1. Cognizance of the present matter is declined in view of Section 514(2)(a) and Section 515(1)(a), Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.
2. Case is disposed of accordingly.

Place: Thane
Date: 06.05.2026

Sd/-
(Mahima Saini)
7th J.M.F.C., Thane.