

MHKO070006322022 	<u>S.C.C.No.321/2022</u> State of Maharashtra Vs. Atul Prashant Aawale
---	--

Order Below Exh.1

Accused is charge-sheeted for having committed an offence punishable under Section 65 (a), (e) of the Bombay Prohibition Act, 1949. Charge-sheet is filed in the year 2022. On perusal of record it reveals that the prosecution has failed to secure the presence of the accused. Therefore, it is futile to keep the case pending on for uncertain period. Considering all the above aspects on record, this a fit case to stop the proceeding under Section 258 of the Code of the Criminal Procedure, 1973. Hence, I proceed to pass the following order -

ORDER

- 1) The proceeding of the case is hereby stopped as per Section 258 of the Code of Criminal Procedure, 1973.
- 2) The accused namely **Atul Prashant Aawale** is hereby released and consequently deemingly discharged for having committed an offence punishable under Section 65 (a), (e) of the Bombay Prohibition Act, 1949 vide Section 258 of the Code of Criminal Procedure, 1973.
- 3) Seized muddemal be send to the State Excise Department Region Kolhapur for disposal in accordance with law after the appeal period is over.

4) Case papers be filed.

Date-06/02/2026

Jaysingpur

(A. T. Mangire)

Judicial Magistrate, F.C., Court No.1

Jaysingpur, Tal.Shirol, Dist.Kolhapur

I affirm that the contents of this P.D.F file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Sou. P. S. Musale
Name of Court	Jt.C.J.J.D.& J.M.F.C., Jaysingpur.
Date of Dictation.	06/02/2026.
Judgment/order signed by the PO on	06/02/2026.
Judgment/order uploaded on	06/02/2026.