

**IN THE COURT OF JUDICIAL MAGISTRATE (FC), 55<sup>th</sup> COURT,  
VILE PARLE, MUMBAI**

**ORDER BELOW EXH. No.1 in C.C.No.5500727/SS/2020  
(CNR No.MHMM250006432020)**

The present complaint was filed on 04/02/2020 for the offence punishable under section 328 r/w section 471 of the Mumbai Municipal Corporation Act, 1888. The process was issued against the accused by my Ld. Predecessor.

2. On perusal of the record, it appears that the summons was issued to the accused in view of an order passed below Exh. No.02. Despite of issuance of summons to the accused its report is not filed on record. Thereafter the matter was adjourned time to time. However, neither complainant nor his Ld. Advocate have taken any effective steps for securing presence of the accused.

**3. Today, the complainant and his Ld. Advocate are absent. Today no any steps has been taken by the complainant. The matter is more than 5 years old and it is pending since long for securing presence of the accused.** The sufficient opportunity is given to the complainant for securing presence of the accused. However, the complainant fails to secure the presence of the accused. In these circumstances, no good purpose will be serve by keeping the matter pending anymore. Hence, I pass the following order:

**ORDER**

- 1) The complaint is dismissed vide section 256 of the Code of Criminal Procedure, 1973.
- 2) The accused is acquitted of the offence punishable under section 328 r/w section 471 of the Mumbai Municipal Corporation Act, 1888, vide section 256 of the Criminal Procedure, 1973.

*Sat*  
*01/08/2026*

Place : Vile Parle, Mumbai  
Date :01/08/2026

(Manikrao R. Satav)  
Judicial Magistrate (F.C.)  
55<sup>th</sup> Court, Vile Parle, Mumbai.