

: ORDER BELOW EXH. 1 IN S. C. C. NO.1350/2022 :

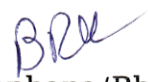
(State Vs. Shaikh Rabbani and Ors.)

Perused the record and proceeding of the case. Case is pending since 2022. Accused persons are continuously absent in the Court since last many dates. However, presence of accused could not be secured. It appears that in near future also the presence of accused could not be secured. Considering the nature of present case, no purpose would be served by keeping it pending on the file of this Court. Considering the above circumstances, this is the fit case for invoking the powers under section 258 of Criminal Procedure Code. However, the prosecution is at liberty to revive the proceeding on the arrest or securing presence of accused by showing justifiable grounds. Hence, I pass the following order:

: ORDER :

1. The accused are discharged from the offence under section 12(A) of Bombay Prevention of Gambling Act and proceedings of this case are hereby stopped; vide section 258 of the Code of Criminal Procedure, 1973.
2. The original police papers be retained in "C" file for their use in the event of reopening the case under Section 300(5) of the Code of Criminal Procedure.
3. Seized muddemal one Splender Bike Worth Rs.30,000/-, Unicorn Bike Worth Rs.40,000/-be return to its original owner after appeal period is over. The seized amount of Rs.1,100/- be credited to the government. One cat and gambling material being worthless be destroyed as per rules.

Date - 07.05.2025


(R. K. Baphana/Bhalgat)
Judicial Magistrate F.C. Paithan