

Summary Cri.Case No. 5201/2019**MHTH120067312019****Order below Exh.No.1****(State Koperkhairane Police Station Vs. Navnath Eknath kondiba Adagale)**

1. Perused the charge sheet. It has been filed against accused under Section 142 of Maharashtra Police Act. Summons were issued against the accused, but in vain. Presence of accused could not be secured even after processes were issued repeatedly.
2. Today, the case is taken up under the special drive for reducing the pendency by taking stale and ineffective matters off the board, by resorting to Section 258 of Criminal Procedure Code. Section 258 lays down that Court can stop the proceedings at any stage in any summons case instituted otherwise than upon complaint. It is used when it becomes difficult for the Court to proceed with the trial, more so when presence of accused could not be secured.
3. Present case is the Summons Case instituted otherwise than upon complaint. Perusal of the record and roznama shows that efforts have been taken to secure the presence of accused, however, processes could not be served. Also, there appears no possibility of accused being present in near future. Therefore, this is a fit case to stop the proceeding by taking recourse to Section 258 of Criminal Procedure Code. As no evidence has been recorded yet, the accused can be

released which shall have the effect of discharge as per Section 258 of Criminal Procedure Code. Accordingly, I pass following order.

ORDER

1. The proceeding is hereby stopped as per Section 258 of the Code of Criminal Procedure, 1973.
2. Accused is released from the offence punishable under Section 142 of Maharashtra Police Act.
3. Bail bonds of accused are cancelled, if any.
4. Cash security, if any, be forfeited to the State.
5. Original papers and charge-sheet be preserved in the 'C' file.

Place : Belapur
Date : 11.12.2025

(K. S. Joshi)
Judicial Magistrate First Class,
Court No.9, Belapur.