

ORDER BELOW EXH. 01 IN S.C.C. NO.271/2022

CNR-MH21000831-2022

State V/s Khadaksingh Pahalsingh Kumay

01. As per letter issued by Hon'ble Bombay High Court No.B(Gen)-1001/2023/632 dated 01/04/2023 and Hon'ble District & Session Court Thane outward No.CS/4768/2023 dated 13/04/2023 in respect of special drive for disposal of cases under Section 256 & 258 of the Code of Criminal Procedure. Accordingly, this matter is taken today's board for special drive.

02. The accused is charge sheeted for committing the offence punishable u/s.65 (e) of the Maharashtra Prohibition Act. On perusal of record, it appears that, case is pending for appearance of accused. Police failed to execute the warrant issued against accused. More particularly till date C.A. report is not filed on record. In such circumstances it would be just and proper to stop the proceeding by taking recourse of section 258 of Cr.P.C. Hence, I pass following order. Hence, I pass following order.

ORDER

1. The proceeding of this matter is stopped by taking recourse of section 258 of Criminal Procedure Code.
2. Accused is discharged for offence Punishable under section 65 (e) of Maharashtra Prohibition Act.
3. Bail bonds of accused stands canceled.
4. After statutory period seized 12 bottles of 180 ml. Sonpari Santra Indian made liquor sent to excise department for disposal according to law.

5. After statutory period seized two glasses be sold in public auction & amount be credited to government according to law.

Date : 25/04/2023

Ritesh V.Nikam
Judicial Magistrate F.C. Wada