

Order Below Exh. 1

Criminal Case No.

of 2024

Perused the case papers. The Police report in this case has been filed after a period of more than three years from the the date of commission of offence. As per the chargesheet, no previous conviction is charged against the accused. The offence under Section 65(AA), of the Gujarat Prohibition Act 1949 is punishable for the imprisonment for a terms which may extend to three years, for the first conviction. Section 468 of Code of Criminal Procedure provides that cognizance of the offence punishable for a terms not extending three years is required to be taken in three years. As more than Three years has passed since the date of commission of offence, the cognizance itself is barred. Looking to the fact and circumstances of the offence, there appears no reasons to justify delay in filling of chargesheet. Therefore, the following order is passed.

ORDER

Criminal Case instituted on police report is barred by limitation and the same is order to be dismissed. The accused is order to be dishcharged and the bail bonds given earlier stand cancelled.

The case property is order to be destroyed after appeal period

Pronounced in the open court on this 22nd day of the month of June 2024.

Ahmedabad.

Date:- 22/06/2024

(Dipak Jethabhai Parmar)

Addl. Chief Metro. Magistrate

Court No. 17, Ahmedabad.

(GJ00879)