



Order below Exh. 01 in SCC No. 364/2022

(CNR no. MHRT080007872022)

Accused is alleged to have committed offence punishable under section 65 (e) of the Maharashtra Prohibition Act. Thus, it is a summary criminal case instituted upon a police report. The report of chemical analysis of the alleged sample muddemal is not filed till today. The matter is pending for appearance of accused. As the report of chemical analysis is not on record, I do not find it just to keep the case pending. Case is pending since 2022. No purpose would be served by keeping the case pending in such way.

02. In view of aforesaid facts and circumstances, the proceeding of the case need to be stopped vide section 258 of the Code of Criminal Procedure, 1973. As the principal witnesses are not examined, the accused need to be released. Hence, I pass following order -

ORDER

1. Proceeding of the case is hereby stopped vide section 258 of the Code of Criminal Procedure, 1973.
2. The accused is hereby released vide section 258 of the Code of Criminal Procedure, 1973.
3. Seized muddemal i.e. 40 liters hooch and two plastic bags be destroyed as per law.
4. Seized muddemal i.e. Honda activa two wheeler bearing no. MH-08-AE0541 be returned to the accused if it is already not returned.

Date- 10/02/2023

(B. D. Tare)
Judicial Magistrate, F.C.
Deorukh

- : C E R T I F I C A T E : -

order below exh. 1 in SCC No. 364/2022

I affirm that the contents of this Pdf file are same words as per original file.

Name of Stenographer	:-	S. S. Thaware (Jr. Clerk)
Court Name	:-	The Court of Judicial Magistrate F.C., Deorukh
Date	:-	10.02.2023
order signed by PO.on	:-	10.02.2023
order uploaded on	:-	10.02.2023