



ORDER BELOW EXH. 1 IN S.C.C. NO. 494/2022

Today this case is taken up in special drive as per the direction of Hon'ble High Court, Mumbai by letter Eng. O.W.No.B(Gen)-1001/2022/1993, dated 17/10/2022. The accused is alleged to have committed an offence punishable under section 65(e) of the Maharashtra Prohibition Act, 1949. In this case, charge-sheet is filed on 04-11-2022. Today this matter is listed for issue of process. In this case, seized muddemal is worth of Rs. 6240/- only. However, in this case C.A report is not filed. Hence, prima facie case is not made out against the accused in respect of alleged offence. As such there is no propriety in proceeding further in this case. This is a fit case to exercise the powers under section 258 of the Code of Criminal Procedure, 1973. In the result I pass the following order:-

-:: ORDER ::-

1. The proceeding of this case is hereby stopped under section 258 of the Code of Criminal Procedure, 1973.
2. The accused is hereby discharged.
3. The seized muddemal 24 bottles of 180 ml of DSP Black Whiskey and 24 bottles of 180 ml of Bullet 77 Cashew Feni of Goa made liquor if not destroyed, be handed over to the State Excise Department, Sindhudurg at Oros for further proceeding.
4. Proceeding is closed.

Date:- 11/11/2022.

(R.R.Bedagkar)
Judicial Magistrate F.C.,
Sawantwadi.