

MHTH120014762002

**ORDER BELOW EXH.1****State, Nerul Police Stn. Vs. Rajesh Ramesh Sutar and others**

Perused the record. Record shows that the offence is registered against the accused for the offences punishable u/s. 324, 323 r/w 34 of IPC. The case is very old.

2] To secure the presence of accused, several times were issued. However, witnesses could not be traced out. Summons report filed at Exh. 24 and 26. It shows that witnesses are not traceable and there is no possibility to find out witnesses in future. It also appear that Investigating officer expired and copy of his death certificate filed on record. Therefore, no fruitful purpose would be served to proceed in the matter. Under action plan old and ineffective cases has to be decided expeditely. Present case is more than 25 years old. Hence, it won't be proper to keep the present case alive against the accused in absence of cogent, concrete evidence on record. Hence, accused deserves to be discharged. Hence, I pass following order -

ORDER

- 1) Accused is hereby discharged for the offence punishable under sections under section 324, 323 r/w 34 of IPC. vide section 239 of the Code of Criminal Procedure, 1973.
- 2) The bail bonds of accused stands canceled, if any.
- 3) Iron rod is worthless be disposed after appeal period is over.

Belapur.
Date : 20/07/2026.

(Bharat S. Gaikwad)
Judicial Magistrate, First Class,
Belapur, Navi Mumbai.