

MHAH030008162024

S.C.C. NO.632/2024



Dilip Chhaburao Kharade
Vs
Sunita Ravindra Nikam

ORDER BELOW EXH.01

The present matter is filed by the complainant under Section 138 of The Negotiable Instruments Act, 1881.

2] The Hon'ble High Court by issuing a letter No. B(Gen)-1001/2026/223, dated 18/02/2026, directed all the Courts in the State of Maharashtra to undertake Special Drive on five working days prior to the day of National Lok Adalat i.e. from 09th March, 2026, to 13th March, 2026 to dispose of cases u/s.256 of Cr.P.C., 1973 / Section 279 of B.N.S.S., 2023 and u/s.258 of Cr.P.C., 1973 / Section 281 of B.N.S.S., 2023. So, as per the direction of the Hon'ble High Court this court has undertaken Special Drive.

3] The last effective steps to proceed with the matter is taken by the complainant on dt.13/09/2024 i.e. an application for issuance of B.W. against the accused. From dt.05/07/2025 neither the complainant nor his advocate are present. No effective steps has been taken to proceed the matter. Record further shows that since last two dates i.e. on 29/01/2026 and 09/03/2026 though matter was posted for dismissal, still the complainant failed to take steps to proceed the matter. It certainly shows that the complainant lost his interest to proceed with the matter. Thus, considering continuous absence of the complainant, I don't think it proper to keep this matter pending. Hence, I proceed to pass the following order :

ORDER

- 1] The complaint is dismissed under Section 256 of The Criminal Procedure Code, 1973 for non appearance of the complainant.
- 2] The accused namely **Sunita Ravindra Nikam** is hereby acquitted for the offence punishable under Section 138 of The Negotiable Instruments Act, 1881.

Date : 13.03.2026.

(S.R. Shinde)
Addl. Chief Judicial Magistrate,
(Court No.18) Ahmednagar