

MHAH210006792024



State of Maharashtra Through Jamkhed
Police Station

Vs.

Jiwan Vishwambhar Tanpure

ORDER BELOW EXH. NO. 01 IN
SUMMARY CRIMINAL CASE NO.390/2024

The Hon'ble District Court Ahmednagar vide its letter bearing Outward No. D.L.S.A./795/2026 dated 18/02/2026 has informed to undertake special drives on the 05 working days prior to the National Lok Adalat i.e. from 09/03/2026 to 13/03/2026, to dispose of cases under Section 279 and 281 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (Section 256 and 258 of the Code of Criminal Procedure, 1973). Therefore today the present case is taken up in the Special Drive.

02. Perused the record and proceeding. On perusal, it transpires that the accused is charged with the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, 1949. The alleged offence has been committed on 12/04/2024 and the charge-sheet has filed on 31/05/2024. Record shows that my Learned Predecessor and this Court has several times passed an orders below Exh.01 and thereby summons and warrants were issued against the accused. Till today, awaiting reports have not been filed on record. Thus, prosecution has failed to secure the presence of accused.

03. Record further shows that till today, the Chemical Analysis report has not been filed on the record. In absence of Report of Chemical Analyzer, it would be highly difficult to draw an inference as to whether the seized substance is liquor or not. Therefore, no purpose will be served by keeping the case pending for indefinite period. Thus, in aforesaid circumstances, it is fit case, where resort can be taken of the provisions enshrined under Section 258 of Code of Criminal Procedure, 1973. Hence, I pass following order:-

:- ORDER :-

1.	The proceeding is hereby stopped under Section 258 of the Code of Criminal Procedure, 1973.
2.	Accused namely Jiwan Vishwambhar Tanpure is hereby discharged from the accusations leveled against him.
3.	Police papers be preserved in "C" File for next six months.
4.	Copy of order be sent to the concerned Police Station.

Date:- 09/03/2026.
Place:- Jamkhed.

Sd/-
(Anushri B. Phand)
Judicial Magistrate First Class,
(Court No.02), Jamkhed.