


MHAH250000462022 	SCC. No.16/2022 State of Maharashtra Vs. Santosh Sahebrao Pawar
---	--

ORDER BELOW EXH. 01.

This is a summons case instituted on police report against accused for the offence punishable under Section 65-E of Bombay Prohibition Act. Perused Roznama and record of the case. It is seen that, the charge sheet was filed on 10-01-2022. Since then, the case is pending for securing presence of the accused. In this case, chemical analysis report is must in order to prove that, at the relevant time the accused was in possession of prohibited article. However, prosecution has not filed the chemical analysis report despite of granting sufficient opportunities. There is no CA report produced on record on which, case of the prosecution stands. As such, in absence of CA report there is no purpose to put the accused on trial. Therefore, considering the nature of present case, no purpose would be served by keeping it pending on the file of this Court. Under such circumstances, this is a fit case for invoking the powers under section 258 of Criminal Procedure Code. Hence, I pass the following order :

ORDER

1. The proceeding is stopped under section 258 of Code of Criminal Procedure.
2. Accused is discharged for the offence punishable under section 65-E of Bombay Prohibition Act.
3. Bail bonds of accused are cancelled.
4. The seized muddemal namely 9 bottles of 180 ml each liquor be sent to Collector of Excise Department, Ahmednagar for disposal according to law after appeal period is over.

Date : 09-03-2026

(S.R.Kanakdande)
Judicial Magistrate First Class,
Parner, Dist-Ahmednagar.