

MHAU100002312024



S.C.C./103/2024

State of Maharashtra Vs. Nilesh Nandkishor  
Jaiswal

**ORDER BELOW EXH. 01**

This matter was pending for appearance since long. Despite sufficient opportunities given, the prosecution failed to secure presence of accused. The proceeding against the accused for the offence punishable U/Sec.65 (E) of Maharashtra Prohibition Act as alleged in the charge sheet. The prosecution has not taken step and secure the presence of accused by taking effective steps. In such condition, no purpose will be served even the matter is keep pending on the daily board. Therefore, I am of the view that this is fit case to stop the proceedings under section 258 of the Cr.P.C. Consequently, I pass the following order.

**ORDER**

1. The proceeding against the accused for the offence punishable under Section 65 (E) of Maharashtra Prohibition Act is hereby stopped vide section 258 of the Code of Criminal Procedure.
2. The accused is discharged for the offence punishable u/Sec.65 (E) of Maharashtra Prohibition Act.
3. Seized Muddemal be sent for disposed off to Superintendent of State Excise, Aurangabad as per rule after appeal period is over.

**(G. D. Gurnule)**

Date : 12.03.2026.

Judicial Magistrate First Class,  
(Court No. 02), Khultabad.