


MHBI150005912024 	<u>Sum Cri Case No. 86/2024</u> <u>State Of Maharashtra</u> <u>Vs</u> <u>Dnyandev Ramhari Chaure</u>
---	---

ORDER BELOW EXH.1

01. In view of directions of the Hon'ble Maharashtra State Legal Services Authority vide letter No.625/2026, dt. 16/02/2026, it was directed to undertake special drive to dispose of ineffective cases under sections 256 and 258 of the Code of Criminal Procedure. Accordingly, special drive is held on today and the present matter is kept in Special Drive for necessary order.

02. Section 258 of the Code of Criminal Procedure states that, in any summons- case instituted otherwise than upon complaint, a Magistrate may for the reason recorded by him, stop the proceeding at any stage without pronouncing any judgment and where such stoppage of proceeding is made after the evidence of the principal witnesses has been recorded, pronounce a judgment of acquittal, and in any other case, release the accused, and such release shall have effect of discharge.

03. Perused the roznama and record of case. The accused is charge-sheeted for the offence punishable under section 65(e) of the Maharashtra Prohibition Act. The present case has been registered on 06.05.2024. Since, 06.08.2024, the case is pending for appearance of the witnesses. The report of witness summons is not filed on record.

Despite of issuance of number of witness summons, the prosecution failed to secure the presence of witnesses.

04. Further, the CA report is also not filed on record. There is no point to proceed with the case in case in absence of CA report. Hence, if the proceeding is continued then it would be an abuse of the process of law. Therefore, the following order is passed.

- ORDER -

- 1] This proceeding of the case is hereby stopped *vide* Section 258 of the Code of Criminal Procedure.
- 2] The accused is hereby released for the offence punishable under section 65(e) of the Maharashtra Prohibition Act *vide* section 258 of the Code of Criminal Procedure.
- 3] The P.B. and S.B. of accused is hereby canceled.
- 4] Seized muddemal property i.e. 12 bottles of Imperial Blue Whisky 180 m.l. be sent to the Collector, Excise Department, Beed for the disposal as per rules after the appeal period is over.

Date : 12/03/2026
Patoda

(Mithun A. Shinde)
Judicial Magistrate First Class,
Patoda.