


MHBI150012692023 	<u>Sum Cri Case No. 247/2023</u> <u>State Of Maharashtra Vs Maroti Sahebrao</u> <u>Sanap</u>
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ORDER BELOW EXH.1

01. In view of directions of the Hon'ble High Court, Bench at Aurangabad vide letter No.615/2026, dt. 20/04/2026, 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 23.07.2023. The accused is appeared before the Court. The plea of

accused is recorded on 13.11.2025. Despite of issuance of number of witness summons, the police failed to secure the presence of witnesses. The case is more than four years old. The C.A. report has not been filed on record. In the absence of the C.A. report, it would not be proper to keep the case on record. 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 namely Maroti Sahebrao Sanap 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. 13 bottles of 180 m.l. of country liquor, Boby Santra Compnay and 13 bottles of 180 m.l. of Imperial Blue Whisky be sent to the Collector, Excise Department, Beed for the disposal as per rules after the appeal period is over.

Date :06/05/2026
Patoda

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