

**ORDER BELOW EXH.1**

Perused the record of the case. Accused is alleged commission of an offence punishable under Section 65(e) of Bombay Prohibition Act. Perusal of record shows that plea against accused is recorded on 01/09/2023. Thereafter the prosecution has examined one panch witness. Panch witness did not support to the prosecution. Since then the present case is pending for securing presence of prosecution witnesses. This case is pending since long time without any development. Prosecution has not taken effective steps to secure presence of witnesses to proceed further. Present matter is registered in the year 2023. It is more than two year old case pending without any progress for long time. It appears that prosecution failed to secure the presence of witnesses. Further matter is summary in nature. In such circumstances, I am of the opinion that no purpose will be served by keeping the present matter in idle condition. Present matter is instituted otherwise than upon complaint. Therefore, I am of the opinion that power under Section 258 of Criminal Procedure Code should be exercised. Hence, it is just and proper to stop proceeding of the present case in view of section 258 of the Criminal Procedure Code. In result, I pass following order.

**Order**

- 1 The present proceeding is hereby stopped under Section 258 of the Criminal Procedure Code.
- 2 Accused is acquitted for the offence punishable under Section 65 (e) of Bombay Prohibition Act.
- 3 After appeal/revision period seized Bottles of country liquor be sent to the State Excise Department, Beed for disposal according to law.

Date :12/03/2026

**[A. S. Jagtap]**  
Judicial Magistrate F.C.,  
Shirur Kasar.

"I affirm that the contents of this PDF file are word to word as per original Judgment/order".

Dictated on : 12/03/2026

Transcribed on : -----

Checked & signed on : 12/03/2026

**[Sagar S. Ajabe]**  
Stenographer Grade-3