



ORDER BELOW EX. 01
(Passed on 03.07.2026)

The present case is of the year 1998 for the offense punishable u/s 407, 420 r/w 34 of I. P. C. registered at Police Station Shivaji Nagar vide Crime No. 26/1998 in respect of the offense dated 18.01.1998.

Upon perusal of the record it appears that the allegations are in respect of criminal breach of trust cheating pertaining to truck bearing no. MP.19.1786 which was carried with lifeboy Golden Soap of the complainant. Record and Roznama reflects that the accused are absent since filling of charge-sheet. NBW, Proclamation u/s. 82 of Cr.p.c. is issued several times but accused persons could not be traced out. Therefore an order passed below Exh. No. 1 passed witnesses summon issued u/s. 299 of Cr.p.c.

The Witness Shaikh Nazir Shaikh Munir. He is examined as P. W. No. 1 at Exh. No. 06. He depose that he does know the accused persons and also complainant. He worked as a labour in the year 1998, in Khamgaon City. He does not know about the Soap Truck was misplaced and he does not to proceed further. As the witness does not want to proceed with the case. The accused persons are absconding, case is more than 28 years old. The report Exh-8, 9, 10, 11, 12 reflects that the complaint where about is not known. His office does not exit on the given address. Other witnesses are not traceable. There is no possibility of securing presences of accused and complainant and witnesses. Evidence of witness reflects no incriminating evidence against accused. Nothing appearing to be recovered or seized from the accused. In above

circumstances it appears that there is no sufficient grounds for proceeding further against the accused, Consequently, the accused are liable to be discharge. Hence the following order.

Order

1. Accused are discharged vide section 239 of Cr.p.c. for the offence punishable under section 407, 420 r/w 34 I.P.C.
2. Cash security amount deposited by the accused is forfeited and it be deposited to the State Government.
3. Proceeding is closed.

Date:-03.07.2026

(Mudassar Nadeem)

JMFC (court No-3) Khamgaon .