

SCC No. 1106/2021
ORDER BELOW Exh-01
(Passed On 23-07-2024)

In view of the directions issued by Hon'ble District Legal Service Authority, Buldana, Special Drive is being undertaken on today. Perused the record. Considering the fact that present is summary case, it ought to have been decided till such period of its pendency. No steps are being taken by prosecution to ensure trial of present case. **Report of chemical analysis is itself not filed on record.** Therefore, there does not appear any substantive material on record to establish that the allegedly seized contraband was liquor. Under such situation, no purpose will be served by keeping this case pending for further more time. For these reasons, I think it fit to stop proceeding of present summons case instituted otherwise than upon a complaint by invoking the powers under section 258 of Code of Criminal Procedure. Hence, I pass the following order ;

Order

1. As per **section 258 of Code of Criminal Procedure** the proceeding of present case is stopped and accused in present case is discharged of the levelled charges.
2. Bail bonds of accused stand cancelled.
3. As per **section 452 of Code of Criminal Procedure**, after the appeal period the muddemal seized in this crime be send to Excise Department, for disposal according to law, if not already sent.

Khamgaon
Date 23.07.2024

Sd/-
(**Vivek V. Rajurkar**)
J.M.F.C., Court No.03, Khamgaon.