

CNRNO.MHCH180006782019

**ORDER BELOW EXH.1**

In pursuant to the planner for the special drive program for the year 2026 received to this Court vide O.W. No. SC(S.B./288/2026) dated 16th January, 2026 of the Hon'ble District Court Chandrapur with reference to the letter of Hon'ble High Court No. SCMS/09/2026 dated 07.01.2026, the offence being categorized under the special drive for the month June-2026, the case is taken on board.

2. At the outset, the accused is charge-sheeted for offence punishable under Section 122 of the Maharashtra Police Act, 1951. What record transpires is that the case was presented on 30.07.2019 and the order issuing summons to the accused came to be passed on 30.07.2019 itself. Since then the prosecution agency have failed to serve the summon on accused and the case has been laying ineffective without any progress. The case is summary in nature and requires speedy disposal which cannot be done unless the presence of accused is secured. Since the case is about to complete 6 years, the same cannot be kept pending awaiting the presence of accused. Henceforth, I am of the considered opinion that, this is the fit case where the powers given under Section 258 of the Code of Criminal Procedure, 1973, has to be invoked. Consequently, the following order.

ORDER

1. The proceeding is hereby stopped vide Section 258 of the Code of Criminal Procedure, 1973.
2. The accused stand discharge.

Date : 24/06/2026

Sd./-
(Rahul A. Rannaware)
Judicial Magistrate First Class
Korpana.