

MHDH050000152026



S.C.C. No.11 of 2026
State Vs. Babaji Murlidhar Bagul

ORDER BELOW EXHIBIT 1
(Passed on 11th March, 2026)

(1) The matter is on today's board in special drive, which has been organized as per the directions of Hon'ble Registrar (Inspection-I), High Court (Appellate Side) Bombay, Letter No.B(Gen)-1001/2026/223 dated 18.02.2026 directed to dispose of cases u/s 256 and 258 of Code of Criminal Procedure.

(2) Perused the records and proceedings of the case. The plea of the accused could not be recorded as he is continuously absent in the Court since filing of charge-sheet. However, in spite of issuance of summons and warrant from time to time, presence of the accused could not be secured. It appears that in near future also the presence of the accused could not be secured.

(3) Considering the nature of present case, no purpose would be served by keeping it pending on the file of this Court. Considering the above circumstances, this is the fit case for invoking the powers under section 258 of Criminal Procedure Code. The seized cash amount of Rs.730/- is not yet claimed. In result the said amount is required to be credited to the government. However, the prosecution is at liberty to revive the proceeding on the arrest or securing presence of accused by showing justifiable grounds. Hence, I pass the following order.

ORDER

1) The proceeding of present case is stopped u/s 258 of Code of Criminal Procedure and thereby the case is disposed of.

- 2) Accused is hereby discharged from the offence punishable u/s.12-A of the Bombay Prevention of Gambling Act.
- 3) The bail bond of accused stands canceled.
- 4) Cash security if any, be refunded to the accused after appeal period is over.
- 5) Seized muddemal cash amount of Rs.730/- be credited to the Government after appeal period is over.
- 6) The rest of the muddemal being worthless, be destroyed after appeal period is over.

Sakri
Date : 11.03.2026

Sd/-
(Mugdha M. Gangurde)
Judicial Magistrate First Class, Sakri