

ORDER BELOW EXHIBIT 1

In view of upcoming National Lok Adalat, the Hon'ble Member Secretary, Hon'ble Maharashtra State Legal Services Authority, letter No.MSLSA/2026, dated 16th February, 2026 and Hon'ble Secretary, Hon'ble District Legal Services Authority Dhule, letter outward No. 156/2026, dated 04.03.2026 by circular directed to undertake special drive today, to dispose of the ineffective cases under section 256 of Cr.PC./279 of BNSS and 258 of Cr.PC./281 of BNSS. Hence, the instant case matter is fixed today for appropriate order.

02. In the instant case, the accused is alleged to have committed offence punishable under section **65(e)** of the Maharashtra Prohibition Act. On going through the record, it reveals that the matter is pending for securing the presence of the accused. However, in spite of reasonable efforts, presence of the accused could not be secured.

03. It is also necessary to note that till today, the Chemical Analysis Report is not filed on record. In the absence of the same, it would be difficult to arrive at a conclusion as to whether the seized muddemaal is antiseptic, medicinal, toilet preparation or alcoholic.

04. Considering the aforesaid reasons, the further trial would be a futile exercise. Hence, no purpose would be served in keeping the matter pending as it has already been years altogether. Thus, this is a fit case to resort to section **258 of the Code of Criminal Procedure**. Hence, the following order:

ORDER

1. The proceeding of the instant case is stopped vide section **258 of the Code of Criminal Procedure** with liberty to the prosecution to revive the proceeding by showing justifiable grounds.
2. The accused, namely **Bapu Umaji Bhil** is acquitted vide section **258 of the Code of Criminal Procedure** from the offence punishable under section **65(e)** of the Maharashtra Prohibition Act.
3. The seized muddemaal i.e. **one earthen pot** is already disposed of during seizure panchnama.

Shirpur.
Date :- 09.03.2026

(**Husna R. Khan**)
Judicial Magistrate First Class,
Shirpur.

CERTIFICATE

I certify that the contents of the PDF File are word to word as per Original Judgment / Order.

Name of the Steno : M. M. More

Name of the Court : Jt. C.J.J.D. & J.M.F.C., Shirpur.

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