

ORDER BELOW EXH. 1

This is a summons case instituted on police report against accused for the offence punishable under section 65-E of Prohibition Act. Perused roznama and record of case. The matter is about **3 years** old. However, the prosecution has failed to secure the presence of accused til today. The prosecution have not taken any effective steps for ensuring presence of said accused. The report of summons shows that the accused is not found on given address. The presence of accused in near future does not appears to be probable. Even otherwise prosecution failed to produced copy of Chemical Analysis report till date. In absence of said report it is difficult to stand prosecution case. Therefore, in my opinion no purpose will be served by keeping matter pending. Hence, I proceed to pass following order.-

:: O R D E R ::

1.	The proceeding is hereby stopped under section 258 of Code of Criminal Procedure.
2.	Accused are hereby released for the offence

	punishable under section 65-E of Maharashtra Prohibition Act.
3.	The seized muddemal disposed of as under :-
	(a) Seized liquor be sent to Excise Department, Pune for disposal according to law after appeal period is over.
	(b) Other worthless seized article like Mag, glass, bag, etc. , if any be destroyed after appeal period is over.
	(c) Interim custody of seized mobile and vehicle if any given to any persons is hereby made confirmed.
	(d) If interim custody of seized mobile and vehicle if any, is not given to any persons then, it be sold in auction according to law after appeal period is over and amount thereof be credited to State Government.

(Amit S. Agrawal)

Date :06/05/2026

Judicial Magistrate First Class

Place : Tirora

Tirora