

MHKO030174562024



Summary Criminal Case NO. 14142/2024

State of Maharashtra (JUNA RAJWADA POLICE
STATION)

Vs.

Santosh Sadashiv Lad

ORDER BELOW EXH. 2

This is an application filed by Police Inspector, Juna Rajwada Police Station in C.R. No. 670/2024(U/S. 65(a)(e) of Maharashtra Prohibition Act 1949) for seeking permission to dispose off seized liquor in the present case.

02. The I.O. has filed present application alongwith say of the accused in which accused contended that he has no concern with the seized muddemal therefore, he has no objection to dispose off seized muddemal.

03. While considering the application in hand, I have gone through the ruling of Hon'ble Apex Court in **AIR 2003 (Supreme Court) 638, Sunderbhai Ambalal Desai Vs. State of Gujrat.** It is held by the Hon'ble Supreme Court in para 19 that,

“For articles such as seized liquor also, prompt action should be taken in disposing it of after preparing necessary panchnama. If sample is required to be taken sample may kept properly after sending it to the chemical analyzer, if required. But in no case, large quantity of liquor should be stored at the police station. No purpose is served by such storing.”

04. Alongwith present application the I.O. has filed copy of F.I.R. in the present C.R. On perusal of the same it reveals that, the samples are taken from seized liquor for chemical analyzer analysis. The I.O. has

sought permission to dispose off the seized liquor. Considering the reasons in the report of I.O. and say of accused it will be proper to grant permission. But, in that regard as per the guidelines of the Hon'ble Apex Court, the I.O. is hereby directed that after sending the seized liquor to State Excise Department, Kolhapur, its compliance report be sent to this court. Hence, I pass following order.

ORDER

1. Application is allowed.
2. The seized muddemal i.e. 180 ml. 6 bottles of Blenders Pride company, 180 ml. 6 bottles of Royal Stag company, 180 ml. 6 bottles of Oak Smith Company, 180 ml. 6 bottles of Black Bacardi Company Liquour be sent to the State Excise Department, Kolhapur for its disposal according to law.
3. After sending the seized liquor for disposal the compliance be reported to this court, without fail.
4. Copy of this order be sent to Juna Rajwada Police Station, Kolhapur.

Date: 16/10/2025.

A.S. Pansare
Judicial Magistrate First Class,
Court No. 5, Kolhapur.