

MHKO110020882021



Sum. Cri. Case No.899/2021.

(CNR No. MHKO110020882021)

Order Below Exh.01.

(State of Maharashtra Vs Shital Mukesh Machale)

Perused record and proceeding of the instant proceeding wherein the accused is alleged to be committed an offence punishable under Section 65(e) of the Maharashtra Prohibition Act.

02. On perusal of the record, it appears that, the prosecution fails to secure the presence of accused inspite issuance of summons and warrant, time and again. It is pertinent to note here that, prosecution did not availed other appropriate remedy to examine the prosecution witnesses in the absence of accused. Moreover, prosecution did not submit the chemical analysis report on the record. By considering this, I am of the opinion that, there is no likelihood of securing the presence of the accused before the Court or prosecution will examine it's witnesses. On the other hand, Hon'ble High Court vide letter No.B(Gen)-1001/2026/615, dated 20/04/2026, directed to undertake Special Drive on the five working days prior to the National Lok Adalat i.e. from 04th May 2026 to 08th May 2026, to dispose of the cases under Section 256 of Code of Criminal Procedure, 1973 (in short Cr.P.C.) / Section 279 of Bharatiya Nagarik Suraksha Sanhita – 2023 (in short BNSS) and section 258 of Cr.P.C / section 281 of BNSS.

03. Hence, it would be appropriate to stop the proceeding

:: 2 ::

against the accused under section 258 of the Cr.P.C. Hence, I proceed to pass following order :-

ORDER.

1. The proceeding of the present case is hereby stopped and accused is discharged from the offence punishable under Section 65(e) of the Maharashtra Prohibition Act vide Section 258 of the Cr.P.C.
2. Bail bonds of the accused shall stands canceled.
3. The case is disposed off accordingly.

Date : 06/05/2026.

(Shrinivas A. Kulkarni)
Judicial Magistrate First Class,
Peth-Vadgaon.