

MHKO160005642017



**ORDER BELOW EXH.1 IN  
R.C.C.NO.55/2017**

Perused the record. The accused is chargesheeted for the offence punishable under Section 323,324,452,504,506 of I.P.C. The case is more than nine years old. In the present case, charge is not framed against accused as prosecution has failed to secure presence of accused in spite of repeated warrants. Therefore, the case was kept for evidence as per Section 299 of Cr.P.C. After issuance of summons to informant and injured, they appeared before the court.

2. Consequently, prosecution examined informant Sangita Shivaji Patil as P.W.1 at Exh.11, injured Tayanabai Dnyandev Patilas P.W.2 at Exh.13 & injured Dnyandev Narayan Patil as PW.3 at Exh.14 . It transpires from the evidence of informant and injured that they do not know anything about incident. They do not have any complaint against accused. They have denied all the allegations against accused. Thus, there appear no direct evidence against accused. From the evidence of the witnesses, there appear no sufficient evidence against accused for the alleged offence. *The Hon'ble Supreme Court in the case of Satish Mehra Vs. Delhi Administration & Anr. 1996 J.C.C. 507* has observed that *"in cases where there is no prospect of the case ending in conviction, the valuable time of the court should not be wasted for holding a trial*

*only for the purpose of formally completing the procedure to pronounce the conclusion”.*

3. As discussed supra, the evidence of prosecution witnesses is insufficient to prove charges against accused. The informant and injured have deposed that they do not know the accused & do not have any complaint against accused. Therefore, there appear no prospect of the case to end in conviction. Considering the evidence on record and age of proceeding, it will be appropriate to discharge the accused on the ground that there is no sufficient evidence against accused. Therefore, in view of above observations, I proceed to pass following order;

### **ORDER**

1. Accused Sachin Sarjerao Patil is discharged of the offences punishable under Section 323,324,452,504,506 of the I.P.C.
2. The bail bonds of accused if any stands cancelled.
3. Proceeding stands disposed off accordingly.

Date :- 16/03/2026

( P. B. Pawar)  
Judicial Magistrate F.C.,  
Malkapur-Shahuwadi