

	<p style="text-align: center;">ORDER BELOW EXH.01 IN S.T.C. NO.158/2025 Old RCC No.05/2024 State V/s. Rameshwar (Passed on this 13th day of March 2026) CNR No.MHLA060020412025</p>
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This is a summons case instituted otherwise than upon a complaint. State Excise Department Nanded has filed the charge-sheet against the accused for the offences punishable under section 65(a)(e) of Maharashtra Prohibition Act, 1949. On perusal of Charge-sheet, it appears that, case is pretty old and pending for more than one year as it was first registered as RCC in the year 2024. It also appears that, the Investigation Officer has not filed chemical analysis report on record.

The Investigating Officer has also not mentioned the name of receiver of muddemal in police station and carrier of muddemal in the list of witnesses. In the absence of aforesaid evidence it cannot be concluded that, muddemal was received in sealed condition and the same was forwarded for Chemical Analysis. Therefore, in the absence of this particular evidence or chain of evidence the offences leveled against the accused cannot be proved. Hence, it would be futile to examine the witnesses of prosecution by continuing the trial.

Hence, no purpose would be served by keeping this matter alive. Apart from this, in view of the directions of Hon'ble Bombay High Court and Hon'ble District Court, Latur, I find that this is a fit case to reduce the mass pendency in criminal cases by invoking the power of 258 Code of Criminal Procedure (Section 281 of BNSS). Hence, it would be just and proper in the interest of justice to stop the proceeding vide 258 Code of Criminal Procedure (Section 281 of BNSS). Hence, I proceed to pass following order-

ORDER

- 1) The proceedings against the accused is hereby stopped under 258 Code of Criminal Procedure (Section 281 of BNSS).
- 2) The accused is released from the offence punishable under Section 65 (a)(e) of Maharashtra Prohibition Act, 1949 amounting to discharge vide 258 Code of Criminal Procedure (Section 281 of BNSS).
- 3) Bail bonds of the accused, if any, are hereby cancelled.
- 4) The muddemal/property liquor be sent to State Excise Department, Latur for disposal as per rule after appeal period is over.
- 5) The case is hereby disposed of, case paper be filed with the record.

Dt. 13.03.2026

(M.C. Hasge)
2nd Jt. Judicial Magistrate, F.C.,
Ahmedpur.