

**Order below Exh.1 in S.C.C. No.364/2025.**

MHLA120011382025



This is a case wherein the accused is alleged to have committed an offence punishable under section 65(e) of the Bombay Prohibition Act. For several times summons issued to accused. The police machinery was not successful in fettering whereabouts of the accused. The matter is kept special Drive. Upon perusal of record, it appears that the present case is of contributory negligence of prosecution. No C.A. report found. In this circumstances, I do not feel that this case should be kept pending in anticipation of presence of the accused in near future. No purpose would be served by keeping the matter pending in the anticipation of the accused. Therefore, I am of opinion that this is fit case to invoke power under section 281 of the BNSS. Hence, I proceed to pass the following order-

**ORDER**

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| 1. | Case is stopped against accused under Section 281 of the BNSS subject to Section 337(5) of the BNSS.                                  |
| 2. | The accused is discharged from the offence punishable under section 65(e) of the Bombay Prohibition Act vide Section 281 of the BNSS. |
| 3. | Bail bonds of the accused are cancelled.  |
| 4. | The seized muddemal is worthless, be disposed of as per rules.  |

Date : 08/05/2026.

( **Smt. A. S. Gunjawate** )  
Judicial Magistrate First Class,  
(Court No.1), Nilanga.