

Old R.C.C. No.328/2024
S.C.C. No. 390/2024
State Vs. Kishor

ORDER PASSED BELOW EXH.1.

This case is kept in/for special drive in view of directions of the Hon'ble Member Secretary, M.S.L.S.A., Mumbai and the Hon'ble Secretary, D.L.S.A. Latur.

2] Perused the record of the case. The accused is facing trial for the offence punishable under Section 65(a)(e) of the Maharashtra Prohibition Act. In the present matter the prosecution has failed to take further steps. The matter is of year 2024.

3] On perusal of the charge-sheet it appears that, the accused is not present for proceedings but in-spite of various opportunities are given, prosecution is not securing presence of the witnesses and despite ample opportunities the prosecution has not secured their presence on various proceedings. In absence of accused further trial is futile exercise. Similarly, matter is summary in nature and pending since 2024 as more than 01 year. Therefore, in view of action plan given by Hon'ble High Court and taking into consideration all the above circumstances, no purpose would be served by keeping this matter pending for want of steps by the prosecution. Therefore, it is necessary to invoke the power under Section 258 of the Code of Criminal Procedure. Hence, I pass following order :-

ORDER

1. The proceeding is stopped vide Section 258 of the Code of Criminal Procedure for accused.
2. Seized Muddemal be disposed of as per procedure, after appeal period is over.
3. Accused is released.
4. His surety, bail and bail bonds stand discharged. If any.

Date :- 13/03/2026

(Shri Awate P. P.)
Judicial Magistrate F.C., AUSA.