

ORDER BELOW EXH. 1 in C. C. No. 340/PW/2009
(CR. No.315/2008)
of N. M. Joshi Marg Police Station.

Today Matter is on board, in view of action plan 2024-2026 of Hon'ble High Court for disposal of pendency of old matters. Perused the case file. The case is of year 2008. Since then accused is not traced out. He is absconded. So many times summons and warrants were issued against him. Police failed to arrest the accused from last 18 years. Proclamation was issued against accused as per order below **Exh.1 dated 31.01.2026**. The proclamation report vide **Exh.6** is on record. It is the case of the prosecution that accused has voluntarily caused grivous hurt to the informant by means of iron pipe and thereby committed an offence punishable **under Section 324 of the I.P.C.** The said muddemal was already recovered. From the year 2008, accused never came before the court from last 18 years. Police failed to secure his presence. Perused report vide **Exh.2, 3 and 9**, informant and other witnesses are not traceable. Matter is very old. It is pertinent to note that, in future even if accused appears before court, there is no possibility to bring any incriminating evidence against accused. Therefore, no purpose will be served by framing of charge against the accused. In such circumstances it is just and legal to discharge accused. Hence, Order :

ORDER

- 1) The accused is hereby discharged **under section 239** of **Code of Criminal Procedure**.
- 2) Standing NBW if issued stands cancelled.
His bail bonds stands cancelled. Cash security if any be credited to the Government.
- 3) Muddemal if any pending be disposed as per rule.

(K. G. Chaudhari)

Place : Dadar, Mumbai.

Date : 09.06.2026.

Judicial Magistrate (First Class),
13th Court, Dadar, Mumbai.