

MHNB100006672025



S.C.C.No. 364/2025
State of Maharashtra
Vs.
Lilubai Urshya Vasave

ORDER BELOW EXH. 1

The State Excise Dept. has submitted the charge sheet for the offence punishable under section 65(e) of the Maharashtra Prohibition Act. Perused record and proceeding of the case. The particulars of the offence is came to be recorded at Exh.09. Thereafter, the matter was posted for the evidence of the prosecution. The witnessed summons to the prosecution witnesses issued. However, the concerned police has failed to secure the presence of prosecution witnesses. The sufficient opportunity has been given to the prosecution. The record also shows that the alleged muddemal is seized on 11.06.2025. The police has forwarded the said muddemal for chemical analysis on 11.07.2025. The concern lab has received the sample of alleged muddemal on 11.07.2025. The concern lab has analyzed the alleged muddemal on 14.07.2025. There are delay to forward the sample and the delay for analysis of the alleged sample. Considering this aspect and the summary nature of the case, no purpose would be served by keeping it pending on the file of this Court.

2] Considering above circumstances, this is the fit case for invoking powers under Section 281 of Bhartiya Nagarik Suraksha Sanhita,2023. Hence, I pass the following order.

ORDER

- 1] The proceeding is stopped vide Section 281 of Bhartiya Nagarik Suraksha Sanhita,2023
- 2] The accused is discharged.
- 3] The seized Muddemal is already destroyed, hence no order.

Akkalkuwa.
Date :- 21.05.2026.

(V. B. Shitole)
Judicial Magistrate First Class,
Akkalkuwa, Dist. Nandurbar