

MHNG030014062002



R.C.C./3030130/2002

State Vs. Vishvas Nene

ORDER PASSED BELOW EXH.1

(Passed on 11/05/2026)

The present case is instituted on police report for the offence punishable under Sections 406 and 420 of the Indian Penal Code. The case is pending for over 24 years. Time and again various processes were issued against the accused. In spite of which the presence of the accused could not be secured. By issuing standing NBW the summons to witnesses were issued under Section 299 Cr.P.C. In spite of issuing witness summons under Section 299 Cr.P.C. No witnesses, except the serving officer, could be examined to bring home the guilt of the accused. The sole witness submitted that there is no future prospect of securing presence of the accused and witnesses in the present case. The prosecution in spite of making efforts could not bring on record any incriminating material against the accused, which would entail framing of charge against the accused. Even if the entire charge-sheet is taken into consideration no documentary or oral evidence which is incriminating against the accused is forthcoming. Thus, no case against the accused has been made out which would warrant his

conviction. Taking into consideration entirety of circumstances and evidence laid by the prosecution, the charge has become groundless and therefore, I proceed to pass following order.

ORDER

1. The accused namely **Vishwas Prabhakar Nene** is hereby discharged from offence punishable under Section 406 and 420 read with 34 of the Indian Penal Code, as per Section 239 of Code Criminal Procedure 1973.
2. The bonds of all the accused if any is hereby canceled.
3. Cash Surety if any not claimed after appeal period, then it be credited to State.
4. The seized muddemal mentioned in the charge-sheet, be destroyed after appeal period is over.
5. Accordingly, the case is disposed off.

Date 11/05/2026
Nagpur

(Kaustubh Nagesh Marathe)
Judicial Magistrate First Class,
Court No.1, Nagpur.