


MHNG030030022023 	S.C.C. No.2146/2023 State Vs. Pawan + 5
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ORDER BELOW EXH. 1
(Passed on 13.03.2026)

- 1) Today the present matter is taken/kept on board in Special Drive vide order of the Hon'ble District Court bearing No.217/TW-JB/2026, dated 21.02.2026 to dispose of cases under section 256 of Cr.PC, 1973 / 279 of BNSS, 2023 and Section 258 of Cr.P.C., 1973 / Section 281 of BNSS, 2023.
- 2) Case is called out. The accused is/are absent. Perused record and proceedings. It appears that the accused is/are alleged to have committed an offence punishable u/s. 12(a) of the Maharashtra Prevention of Gambling Act.
- 3) The matter is fixed for appearance of the accused since the year 2023. Neither accused present nor any application in this case. This Court had issued summons/warrant at several times to the accused. However, the prosecution could not secure the presence of accused. No steps are taken by the prosecution to secure presence of accused. In the present case, there is no immediate prospects to secure presence of accused in near future, hence this is fit case for stopping of proceeding under Section 258 of the Code of Criminal Procedure. Hence, I pass following order:-

ORDER

1. The proceeding is stopped under Section 258 of the Code of Criminal Procedure.
2. The accused is/are discharged of the offence punishable under Section 12(a) of the Maharashtra Prevention of Gambling Act.

:: 2 ::

3. The warrant/summons issued against accused is/are hereby recalled.
4. After appeal period,
 - i) seized cash amount of Rs.2235/- be credited to the Government Account.
 - ii) seized 52 cards being worthless, be destroyed.

Date : 13.03.2026

(V. S. Raut)
Judicial Magistrate First Class,
Court No. 2, Nagpur.