

MHNG030347492022



S.C.C. No.23442/2022

State Vs. Mangesh Sambhaji
Bawane

ORDER BELOW EXH. 1

(Passed on 10.03.2026)

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 2022. 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 presence of the accused. This case is instituted on police report and summons / summary in nature. 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, 1973. This case is instituted on police report and summons trial in nature. Hence, I pass following order:-

ORDER

1. The proceeding is stopped under Section 258 of the Code of Criminal Procedure, 1973.
2. The accused is/are discharged of the offence punishable under Section 12(a) of the Maharashtra Prevention of Gambling Act.
3. The warrant issued against accused is/are hereby cancelled / recalled.
4. After appeal period,
 - i) seized cash amount of Rs.710/- be credited to the Government Account.
 - ii) seized 01 pen and 04 white paper chits being worthless, be destroyed.
5. Case is disposed of and proceeding is closed.

Date : 10.03.2026

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