MHNG080002892023

ORDER (BELOW EXH.1)
(Passed on 10.03.2026)

Today there is a Special Drive for disposing unattended, petty, stale, ineffective and old cases under Sections 256 and 258 of the Code of Criminal Procedure in view of the Hon'ble District and Sessions Court, Nagpur letter No.217/TW-JB/2026 dated 21.02.2026.

2] Perused the record. This case is instituted otherwise than upon complaint. The accused is charged with the offence punishable under Section 65(e) of the Bombay Prohibition Act, 1949. The case is registered as summary case. The accused is absent since 23.02.2023 i.e. since filing of the charge sheet. The case is pending since 2023. The summons and warrants were issued several times against the accused. However, the presence of the accused could not be secured by the police machinery. The case is more than three years old. There seems no possibility that the accused will be traced out in near future. In these circumstances, this is a fit case where the Court should exercise its power under Section 258 of the Code of Criminal Procedure and stop the proceeding. No purpose

would be served by keeping the case pending without any progress. Hence, I pass the following order.

ORDER

1. The proceeding is stopped vide Section 258 of the Code of Criminal Procedure, 1973.

2. The accused is released for the offence punishable under Section 65(e) of the Bombay Prohibition Act, 1949 .

3. As per Section 98 of the Maharashtra Prohibition Act, 1949, seized muddemal be sent to State Excise Department, Nagpur for disposal according to law after appeal period is over.

4. The case is disposed of accordingly.

RAJESH RAMESHRAO SHEREKAR
Digitally signed by RAJESH RAMESHRAO SHEREKAR
Date: 2026.03.10 13:50:36 +0530

Date : 10.03.2026

(R.R. Sherekar)
Judicial Magistrate First Class,
(Court No.2), Kamptee, Dist. Nagpur.

ENDORSEMENT

Case argued on	:	10.03.2026
Order dictated on	:	10.03.2026
Transcription ready on	:	10.03.2026
Order checked and signed on	:	10.03.2026

CERTIFICATE

I affirm that the contents of this P.D.F. File are same word to word as per original order.

NAME OF STENO :- SAU. P.A.NIRMAL