

MHNG080020232015



R.C.C.No.289/2015
(Old case No.81/2013)
State Vs. Vikram

ORDER (BELOW EXH.1)

(Passed on 16.04.2026)

Perused the record. The accused was absent since long. Therefore, my learned predecessor issued warrants against the accused several times, but presence of accused is not secured by the prosecution. Hence, this court issued proclamation against accused vide order dated 30.09.2025 below Exh.1. The report of proclamation is received vide Exh.03. This shows that accused is absconded. Therefore, the case has been proceeded as per Section 299 (1) of Cr.P.C.

2. All effective steps have been taken, but the accused is not traced out. Therefore, the case has been proceeded as per Section 299(1) of the Code of Criminal Procedure.

3. This court issued witness summons to important witnesses. But the summons of informant, panch witnesses and other witnesses returned with report that they are not traced out vide Exh.04 to 09 respectively. The case is pending since 03.09.2013. The case is more than 12 and half years old. There is no incriminating evidence against the accused which is sufficient to frame charge against the accused because the important witnesses i.e. informant, panch witnesses and other witnesses are not traced out. As the accused is absconding since long, there will be no chance of his appearance in near future. The case is pending since 03.09.2013 without securing presence of the accused. Therefore, proceeding is liable to be dropped and the accused is liable to be discharged from the offences punishable under Section 4/25 Arms Act read with Section 135 of B.PAct and Sections 504 and 506 of Indian

Penal Code. Hence, I pass following order.

ORDER

1. Accused is discharged for the offences punishable under Section 4/25 Arms Act read with Section 135 of B.P.Act and Sections 504 and 506 of Indian Penal Code.
2. The warrant and proclamation against accused is canceled. It be called back. Inform the concerned SHO accordingly.
3. Seized sword be sent to District Magistrate, Nagpur for disposal according to law, after appeal period is over.
4. Case is disposed off.

Kamptee
Date : 16.04.2026

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

ENDORSEMENT

Case argued on	:	16.04.2026
Order dictated on	:	16.04.2026
Transcription ready on	:	16.04.2026
Order checked and signed on	:	16.04.2026

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**