

MHNG080024812015



R.C.C.No.779/2015  
(Old case No. 506/2001 and  
562/2012)  
State Vs. Vinod & ors.

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

Perused the record. The accused were absent since long. Therefore, my learned predecessor issued warrants against the accused several times, but presence of accused are not secured by the prosecution. Hence, this court issued proclamation against accused vide order dated 07.10.2025 below Exh.1. The report of proclamation is received vide Exh.06. This shows that accused are 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 are 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, medical officer and other witnesses returned with report that they are not traced out vide Exh.07 to 13 respectively. The case is pending since 14.12.2001. The case is more than 24 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, medical officer and other witnesses are not traced out. As the accused are absconding since long, there will be no chance of their appearance in near future. The case is pending since 14.12.2001 without securing presence of the accused. Therefore, proceeding is liable to be dropped and the accused are liable to be discharged from the offences punishable under Sections 452 and 324 of Indian Penal Code. Hence, I

pass following order.

**ORDER**

1. Accused are discharged for the offences punishable under Sections 452 and 324 of Indian Penal Code.
2. The warrants and proclamations against the accused are canceled. It be called back. Inform the concerned SHO accordingly.
3. Seized muddemal being worthless be disposed of as per rule, after appeal period is over.
4. Case is disposed off.

Kamptee  
Date : 10.03.2026

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

**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. PA.Nirmal**