

MHNG080036252015



R.C.C.No.131/2016  
State Vs. Suraj +1

**ORDER (BELOW EXH.1)**

(Passed on 10.03.2026)

Perused the record. The accused were absent since long. Therefore, this court 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 14.10.2025 below Exh.1. The reports of proclamations are received vide Exh.04 and 05. 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, other witnesses and Investigating Officer returned with report that they are not traced out vide Exh.06 to 12 respectively. The case is pending since 02.08.2016. The case is more than 9 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, other witnesses and Investigating Officer 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 02.08.2016 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 5(A)(1)(2) of Maharashtra Animal

Preservation Act and 11(1)(D) Prevention of Cruelty to Animal Act.

Hence, I pass following order.

**ORDER**

1. Accused are discharged for the offences punishable under Sections 5(A)(1)(2) Maharashtra Animal Preservation Act and 11(1)(D) Prevention of Cruelty to Animal Act.
2. The warrants and proclamations against the accused are canceled. It be called back. Inform the concerned SHO accordingly.
3. Seized vehicle is already handed over to its owner on Supratnama. His custody will be confirmed after appeal period is over.
4. Seized three animal are handed over to Gaushala Seva Samiti Kumbhare Colony Kamptee. Their custody will be confirmed after appeal period is over.
5. 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**