

MHNG090000522021



ORDER BELOW EXH.01 IN SCC No. 36/2021

(State of Maharashtra V/s Jayvantabi Manikrao Kumbhare)

01] The Hon'ble Bombay High Court vide letter No. B(Gen)-1001/2026/2026/223 dated 18th February, 2026 directed to undertake special drive from 09/03/2026 to 13/03/2026 to dispose off cases under Section 256 of the Cr.P.C., 1973 / 279 of BNSS, 2023 and Section 258 of the Cr.P.C., 1973 / 281 of BNSS, 2023.

02] The present case is of **year 2021** and falls under category of **05 years** old cases. Charge-sheet is filed for the offence punishable under Maharashtra Prohibition Act. In this case, the Chemical Analysis report is filed on record. Record shows that, accused is continuously absent since inception of the case. Record also shows that summons were issued to accused for several times, but police machinery has failed to secure the presence of accused. The considerable time has been lapsed and police machinery could not even secured the presence of accused. Thus, in such miserable situation, I find it difficult to decide the case on merit, without any hindrance, in the normal manner by adopting normal procedure

contemplated by the Code of Criminal Procedure, 1973. Therefore, I am constrained to stop the proceeding of present matter under Section 258 of Code of Criminal Procedure. Hence, I proceed to pass the following order :

ORDER

01. The proceeding of the case stand stopped under Section 258 of the Code of Criminal Procedure, 1973.
02. Accused stand discharged for the offence punishable under Section 65(e) of Maharashtra Prohibition Act vide Section 258 of the Code of Criminal Procedure, 1973.
03. **Seized muddemal - liquor** if any, be sent to Excise Department, Nagpur for disposal according to law after appeal period is over.

Saoner

Date : 12/03/2026.

(Pradeepsingh. P. Thakur)
Judicial Magistrate First Class,
[Court No.1] Saoner.