

MHNG090005422021



ORDER BELOW EXH.01 IN SCC No. 278/2021
(State of Maharashtra V/s Sheikh Arif)

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] Perused record. Present Charge-sheet is filed for the offence punishable under Maharashtra Prohibition Act. In this case, the Chemical Analysis report is must. However, despite of availing sufficient time, the Prosecution failed to file Chemical Analysis report. Therefore, in absence of Chemical Analysis report matter could not be proceeded further. 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 the Code of Criminal Procedure, 1973. Hence, I

proceed to pass 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.