

MHNG090021152022



**ORDER BELOW EXH.01 IN SCC No. 1282/2022**

(State of Maharashtra Vs. Nikhil Komalchand Thakur)

01] The Hon'ble Bombay High Court vide letter No. B(Gen)-1001/2026/2026/223 dated 18<sup>th</sup> 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 2022** and is pending almost for **04 years**. Record shows that, accused is continuously absent since long. But, Police machinery has failed to secure the presence of accused. The considerable time of near about 4 years has lapsed and prosecution failed to secure 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 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 84 of Maharashtra Prohibition Act vide Section 258 of the Code of Criminal Procedure, 1973.

Saoner

Date : 12/03/2026.

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