

MHNG090024232020



**ORDER BELOW EXH.01 IN SCC No. 1467/2020**

(State of Maharashtra Vs. Bandu Manik Lambat)

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 2020 and falls under category of 05 years and old cases.** Record shows that, accused are continuously absent since inception of the case. Record also shows that Police machinery has failed to secure the presence of accused. The considerable period of 05 years has been lapsed. 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 for reason of failure of the prosecution to secure the presence of accused for the considerable time. No one till date have claimed entitlement over seized muddemal. 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 are stand discharged for the offence punishable under Section 12(A) of Maharashtra Prevention of Gambling Act *vide* Section 258 of the Code of Criminal Procedure, 1973.
03. **A.** Seized muddemal i.e. pen and gambling article being worthless be destroyed, after appeal period is over.  
**B.** Seized muddemal i.e. **cash of Rs. 1670/- (One Thousand Six Hundred Seventy Rupees Only)** be credited to government, after appeal period is over.

Saoner

Date : 12/03/2026.

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