

MHNG090042882023



ORDER BELOW EXH.01 IN SCC No. 2041/2023

(State of Maharashtra V/s. Sudesh Ganpatrao Pethekar)

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 2023** and is pending almost for **03 years**. Record shows that, accused is continuously absent since long. Record also shows that Police machinery has failed to secure the presence of accused. The considerable time has been lapsed and police machinery could not even secured the present 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 for reason of failure of the prosecution to secure the presence of accused for the considerable time. 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 128(1)/194(1) of Motor Vehicle 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.