

MHNG120004172023



Summary Criminal Case No.215/2023
State ..Vs.. Vivek Raut
Special Drive

(ORDER BELOW EXH.1)

Perused record. Matter is pending for securing presence of accused. Accused No. 1 and 3 appeared and furnished bail. However, since then they are remaining absent. Prosecution has not served summons to accused No. 2 till date and he is absent since beginning. Summons were issued against accused but prosecution failed to secure his presence despite several opportunities. No application is filed by prosecution till date. In such circumstances, possibility of securing his presence in near future appears remote. The case is stale and ineffective. There is no reason to keep such stale and ineffective on board unnecessarily. Thus, considering facts and circumstances, nature of offence and purpose of special drive, this is a fit case where powers under section 258 Cr.P.C. can be invoked. Hence, in the interest of justice, I proceed to pass following order.

ORDER

1. The proceeding is hereby stopped under section 258 of the Criminal Procedure Code.
2. Accused No. 1, 2 and 3 are discharged from the offence punishable under section 68 and 84 of the Maharashtra Prohibition Act.

3. Bail bond of accused stands cancelled.
4. Muddemal if any, be disposed as per rules.
5. The record be kept in C file in view of Section 300(5) of the Code of Criminal Procedure, 1973

Date : 12/03/2026

(Rohan Vijaykumar Thayil)
Judicial Magistrate, First Class,
Narkhed, Dist. Nagpur.

Argument heard on	--
Order passed on	12/03/2026
Transcription ready on	12/03/2026
Order checked and signed on	12/03/2026

CERTIFICATE

I affirm that the contents of this P.D.F. file of order are word to word correct, as per original order.

Name of Stenographer- V. A. Chavhan (Gr.-III)