

MHNG120008102023



Summary Criminal Case No. 445/2023  
State ..Vs.. Namdev Pachode  
Special Drive

**(ORDER BELOW EXH.1)**

Perused record. Matter is pending for securing presence of accused. The case is of year 2023. But since year 2023 accused is continuously absent. Summons were issued against accused but prosecution failed to keep his/her present or file report on record. In such circumstances, possibility of securing his presence in near future appears remote. There is report of Chemical Analyzer on record, however due to continuous absence of accused there is no possibility that the case will be concluded in near future. In spite of several opportunities, prosecution could not secure the presence of accused. No application is filed on record by the prosecution. There is no progress in the case since long, due to continuous absence of accused. There is no purpose to keep such old, stale and ineffective case on the board. Thus, considering facts and circumstances as well as the nature of offence levelled against accused and the purpose of special drive, this is a fit case where powers under section 258 of the Cr.P.C / Section 281 of the B.N.S.S. can be invoked. Hence, in the interest of justice, I proceed to pass the following order.

**ORDER**

1. The proceeding is hereby stopped under section 258 of the Cr.P.C./ Section 281 of the B.N.S.S.

2. Accused is discharged from the offence punishable under section 65(e) of the Maharashtra Prohibition Act.
3. Bail bond of accused stands cancelled.
4. Muddemal if any, be disposed off as per rules after the appeal period.
5. The record be kept in C file in view of Section 300(5) the Cr.P.C. / Section 337(5) of the B.N.S.S.

Place : Narkhed, Dist. Nagpur

Date : 05/05/2026

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

Argument heard on	--
Order passed on	05/05/2026
Transcription ready on	05/05/2026
Order checked and singed on	05/05/2026

**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)