

MHNG120008172024

Summary Criminal Case No. 358/2024
State ..Vs.. Diwakar Wankhede
Special Drive

(ORDER BELOW EXH.1)

Perused record. Matter is pending for securing presence of accused. The case is of the year 2024. Summons were already issued against accused but prosecution failed to secure his/her presence or file any report. In such circumstances, possibility of securing their presence in near future appears remote. There is no report of Chemical Analyzer filed on record till date. Due to continuous absence of accused and prosecution witnesses there is no possibility that the case will be concluded in near future. No application is filed by the prosecution till date. In spite of several opportunities, prosecution could not secure the presence of accused. There is no progress in the case since long, due to continuous absence of accused. There is no subject 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 Cr.P.C./281 of 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 Cr.P.C./281 of B.N.S.S.
2. Accused is discharge from the offence punishable under section 65(e) of the Maharashtra Prohibition Act.
3. Bail bond of accused stands cancelled.

4. The muddemal if any, pending, it be destroyed as per law after appeal period is over.
5. The record be kept in C file in view of Section 300(5) of the Code of Criminal Procedure, 1973 / 337(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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)