

**S.C.C. 42/2023**

*State of Maharashtra*

v.

*Lokesh Shyamlal Dhobale*

**ORDER BELOW EXH 1**

Matter is taken up in the special drive arranged as per the directions of Hon'ble High Court and circular issued by Judicial Branch T.W., District Court, Nagpur O.W. No. B-16 (2)/04/2026 dated 23/02/2026 for disposing unattended, petty, stale, ineffective and old miscellaneous cases.

2. In the present case accused person is prosecuted for the offence punishable under section 12(a) of Prevention of Gambling Act. Perusal of record shows that presence of accused person could not be secured even after issuance of summons and warrant for several times. The matter is pending for about 3 years without any progress despite repeated efforts to secure presence of accused person. Today also accused person is absent.

3. The matter is about 6 years old and it seems that presence of accused person cannot be secured in near future. Considering the age of the matter and nature of offence, in such a situation keeping the matter pending on record will not serve any purpose.

4. In view of the above-mentioned facts, it is a fit case to invoke powers under section 281 of Bharatiya Nagarik Suraksha Sanhita 2023. Hence, I pass the following order:

**ORDER**

1. Proceeding is stopped under section 281 of Bharatiya Nagarik Suraksha Sanhita 2023.

2. Accused is discharged vide section 281 of Bharatiya Nagarik Suraksha Sanhita 2023 for offence punishable under section 12 (a) of Prevention of Gambling Act.
3. Seized Muddemal i.e., cash amount of Rs 1,940/- be credited to state Government and other articles of gaming being worthless be disposed of according to law.
4. In view of section 337 (5) of Code of Criminal Procedure, Police papers be kept and preserved in file 'C'.

Date:10/03/2026

(A.A. Shirvalkar)  
Judicial Magistrate First Class  
Ramtek.