

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 29/11/2025 for disposing unattended, petty, stale, ineffective and old miscellaneous cases.

2. In the present case accused person is prosecuted for offence punishable under section 65(e) of Maharashtra Prohibition Act. The matter is about 2 years old. Despite issuance of summons and warrants and efforts are taken to secure presence of accused person, the serving officer failed to serve them and the presence of accused could not be secured. Apparently, the presence of accused cannot be secured in near future. In such a situation keeping the matter pending on record will not serve any purpose.

3. In view of 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 Bharatiya Nagarik Suraksha Sanhita 2023.

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2. Accused is discharged vide section 281 of Bharatiya Nagarik Suraksha Sanhita 2023 for offence punishable under section 65(e) of Maharashtra Prohibition Act.
3. Seized Muddemal be sent to State Excise Department for disposal as per law, if not done earlier.
4. In view of section 337(5) of Bharatiya Nagarik Suraksha Sanhita 2023, Police papers be preserved and kept in file 'C'.

Date: 10/03/2026

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