

MHNG130002772021



S.C.C. No. 121/2021
State Vs. Babulal
U/Sec. 188, 269, 270, 271 of
IPC r/w 3, 4 Epidemic
Diseases Act r/w 51(b) of
Disaster Management act r/w
11 of Covid-19 Act

ORDER BELOW EXH.01
(Special Drive dtd. 12/03/2026)

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] Accused is alleged for offence punishable under Section 188, 269, 270, 271 of Indian Penal Code r/w 3, 4 Epidemic Diseases Act r/w 51(b) of Disaster Management Act r/w 11 of Covid-19 Act. Perusal of record shows that matter pertains to the year 2021 and is 4 years old. It can be seen that, the accused is continuously absent since 06/04/2021. Sincere efforts to secure presence of accused has been taken by issuance of warrants several times. However, the serving officer has failed to serve the warrant on accused. Prosecution has failed to secure presence of accused since 2021. No purpose would be served in keeping the matter

pending on record. Considering the nature of offence, I find it appropriate case to invoke powers under Section 281 of Bhartiya Nagarik Suraksha Sanhita, 2023. There is a bar under Section 195 of Code of Criminal Procedure for taking cognizance of offence punishable under Section 188 of Indian Penal Code on chargesheet. Hence matter for Section 188 is dismissed. In view of the above discussion, I pass the following order -

ORDER

- 1) Proceeding is stopped vide Section 281 of Bhartiya Nagarik Suraksha Sanhita, 2023.
- 2) Accused is discharged vide Section 281 of Bhartiya Nagarik Suraksha Sanhita, 2023 for offence punishable under Section 269, 270, 271 of Indian Penal Code r/w 3, 4 Epidemic Diseases Act r/w 51(b) of Disaster Management Act r/w 11 of Covid-19 Act.
- 3) Police papers be kept in File-C in view of Section 337(5) of Bhartiya Nagarik Suraksha Sanhita, 2023.

Ramtek.
Date : 12/03/2026.

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