



Order below Exh. No. 1
(Order Passed on 12.03.2026)

As per the direction of the Hon'ble of High Court vide letter No.8(Gen)-10001/2026-2023,dtd. 18/2/2026 and direction of the Hon'ble Principle District & Session Judge, Nagpur vide letter No.217/TW-JB/2026 dtd.21/02/2026. This case is taken on today's board in special drive. On perusal of record it appears that charge sheet has been filed on 15-04-2025 for the offence punishable under Section 65-E of The Maharashtra Prohibition Act. Particulars of the offence recorded against the accused, accused pleaded not guilty. Witness summons issued to all witness as per witness list. Exh.14 and 15 shows witness summons issued to both panch witness on 08-12-2025, 20-01-2026, 27-02-2026 but they remain absent. Exh.17 shows that witness summon issued to I.O. but he is not traceable. Exh16 shows that witness summon issued to sample carrier but he is not traceable. Exh.17 shows that witness summon issued to Informant on 16-09-2025, 03-10-2025, 13-11-2025, 08-12-2025, 20-01-2026, 27-02-2026 Despite service of summons all witness are remain absent. No chemical analysis report of seized alleged liquor is on record, without said report the prosecution cannot prove the offence against the accused. Sufficient opportunity to secure the presence the presence of witness has been given to the prosecution. Moreover the matter is summarily triable. Therefore, this Court is left with no other alternative but to stop the proceeding. Hence, this is a fit case for stoppage under Section 258 of the Code of Criminal Procedure, 1973. Hence, I pass the following order :-

ORDER

1. Further proceeding of this matter is hereby stopped as per Section 258 of the Code of Criminal Procedure, 1973.
2. The accused is released for the offence punishable under Section 65-E of The Maharashtra Prohibition Act.
3. The bail bond of the accused stands cancelled and surety is hereby discharged.

Date-12/03/2026

(G.O Wankhade)
Judicial Magistrate First Class,
Parseoni

***** CERTIFICATE *****

I affirm that the contents of this P.D.F. file of order are word to word, as per original order.

Name of Stenographer- Abhijeet B. Tamgadge (Grade III)