

MHNG160001862008



ORDER BELOW EXH.01.

(Passed on dated 12th March, 2026)

Present charge-sheet was filed against accused persons for an offence punishable under Section 324 read with Section 34 of Indian Penal Code. Record shows that accused are absconding since long. Proclamation was issued against them. But, the prosecution failed to secure their presence.

2. Summons were sent to prosecution witnesses for several times for recording evidence u/Sec. 299 of Code of Criminal Procedure. However, despite issuance of witness summons, the witnesses did not turn up before the Court. The prosecution utterly failed to secure the presence of the witnesses. Therefore, the evidence of serving officer namely Rajendra Hannulal Adame vide Exh.5 came to be recorded. He deposed that, he received all witnesses summons (Exh.7 to 12) and one bailable warrant (Exh.6) in the present case for service. He has made efforts to make service of the summons on the witnesses by sending it to the jurisdictional Police Station, however, till now, no report has been filed by the concerned police station regarding the summons. He further deposed that, none of the witnesses were found on their addresses. Further he deposed that, there are no chances regarding their presence in near future.

3. The evidence of prosecution is closed as per order below Exh.1. The matter is very old. Accused are absconding. There is no

Exh.01.

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R.C.C. No.1700329/2008

possibility to secure presence of accused persons as well as witnesses in near future. Therefore, there is nothing on record to prove guilt of the accused persons. Therefore, no purpose will be served by keeping the file pending for indefinite period in absence of any evidence against the absconding accused persons. In view of above, following order is passed :-

ORDER

1. Accused No.1 Sadhu Janardhan Lokhande and accused No.2 Shankar Rajaram Tandi are discharged.
2. The bail bonds and sureties if any stands discharged. Cash security of the accused persons, if any stands forfeited.
3. Seized muddemal property No.17/1998 i.e. Iron Shovel being worthless be destroyed after appeal period is over.
4. Proceeding is closed.

Date : 12.03.2026

Sd/-
(N.K. Wankhade)
Jt. Civil Judge Junior Division,
Mouda.

CERTIFICATE

“I affirm that the contents of this PDF file are word to word, as per original order.”

Sd/-

(T. J. Shende)

Stenographer – Grade-III