

MHNG170002492020



**IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,  
BHIWAPUR**

S.C.C.No.174/2020

State -Vs- Hemraj Damaji Gomase and others

**ORDER**

(Passed on 10<sup>th</sup> March, 2026)

The matter is old one and ineffective since 2020. Accused is absent since filing of charge-sheet i.e. on 17.06.2020. In the present matter the offence alleged against the accused under Section 12(a) of Bombay Prevention of Gambling Act, 1887. On perusal of record, it appears that, on several times BW/NBW were issued against the accused, but prosecution has failed to secure the presence of accused despite sufficient opportunities. In such circumstances, there is no possibility to secure the presence of accused in near future. Therefore, no fruitful purpose would be served to keep the matter pending as it is. Thus, as considering the facts and circumstances of the case, this case is fit to invoke the powers under section 258 of Cr.P.C. In view of above circumstances, it would be just, fair and proper to stop the proceedings. Hence, I proceed to pass the following order.

**ORDER**

1. The proceeding is stopped under Section 258 of Cr.P.C.
2. Accused is discharged.
3. NBW, if any, issued is called back.
4. The seized amount of Rs.3240/- be forfeited to the Government and 52 cards be destroyed.

Bhiwapur.  
Date :10.03.2026

Sd/-  
(S. J. Lad)  
Judicial Magistrate First Class,  
Bhiwapur.