

	R.C.C. No. 08/2011 CNR MHNS130001492011
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Order Below Exh. 01

The present case is a warrant case instituted otherwise than on a police report.

2. It is alleged that the accused threatened to commit murder of Shri. Raj Thakare who is the leader of complainant by giving supari of 1 crore rupees at public at large. He instigated others to kill Raj Thakare and thereby gave provocation to others for committing serious type of offence. Complainant further alleged that due to threat given by accused public peace at Ozar, Tal. Niphad and in other cities has been disturbed. It is further alleged that the public threat given by the accused was flashed on the Sahara Samay, India TV, etc. news channels. It is further alleged that accused has abated and instigated public at large for causing death of Shri. Raj Thakare in India and gave provocation to others.

3. I have heard the learned counsel for the complainant and the learned counsel for the accused. I have also perused the complaint and the documents on record.

4. Upon consideration of the evidence on record, I find that no case has been made out against the accused which, if unrebutted, would warrant his conviction for the offences punishable under Sections 107,

108, 115, 119, 120, 120-A, 153 and 153-A of the Indian Penal Code. The evidence on record is insufficient to frame a charge against the accused. Matter is old. It is about 15 years old. It is still pending for appearance of the accused. On perusal of record it reveals that many times non-bailable warrants and proclamation were issued but the prosecution failed to secure the presence of the accused. No purpose would be served by keeping the matter pending. Therefore, accused is liable to be discharged under section 245(2) of the Cr.P.C. Hence, the following order is made :-

ORDER

1. The accused is discharged under Section 245(2) of the Code of Criminal Procedure from the offence punishable under Sections 107, 108, 115, 119, 120, 120-A, 153 and 153-A of the Indian Penal Code.
2. Recall the N.B.W. and proclamation.
3. The case stands disposed of accordingly.

Date: 29/06/2026

(P. D. Kolekar)
Judicial Magistrate F. C.
Pimpalgaon(B.)