

MHNS160001482023



**SCC No. 80/2023**  
**State V/s Bhushan Raju Nirbhavane**  
**ORDER BELOW EXH.1.**  
**(Passed on 10/03/2026)**

Today is special drive as per direction of Hon'ble High Court. Perused case record. It appears that charge sheet is filed against accused for the offence punishable u/s 65(e) of Bombay Prohibition Act in 2023. Accused is absent. It appears that summons/warrant were issued several times but the accused/witness are not found. It appears that prosecution failed to file chemical analysis report (C.A. Report) till date in this matter. The matter is lingering on the board without any progress. Prosecution failed to secure presence of accused. Therefore, in such circumstances in order to avoid the abuse of process of law, delay and waste of public hours and money. Considering the nature of the offence and entire account of the matter, this is a fit case to invoke the powers contemplated under section 258 of the Criminal Procedure Code, 1973. Hence, I pass the following order.

- 1] Matter is stopped vide section 258 of the Cr.P.C. with effect mentioned therein.
- 2] Accused is discharged.
- 3] Bail bonds of accused if any are stands cancelled. Accused surety be discharged.
- 4] NBW & notice issued earlier be called back.
- 5] The muddemal be disposed off as per law after an appeal period over.
- 6] Record and proceeding be sent to district record room as per rules.

Dated : 10/03/2026.

**(S. S. CHHALLANI)**  
Judicial Magistrate First Class  
Court No.1, Chandwad.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of Stenographer	<b><i>Namdev M. Shedge</i></b> Stenographer Grade -III
Name of Court	CJJD & J.M.F.C., Chandwad
Date of Dictation	10/03/2026
Judgment/order signed by the PO on	10/03/2026
Judgment/order digitally signed by the PO on	10/03/2026
Judgment/order uploaded on	10/03/2026