

MHNS160010812024



Summary Criminal Case No.440/2024
State ..Vs.. Shankar Shivaji Gangurde + 2
Special Drive

(ORDER BELOW EXH.1)

Perused record. Matter is pending for securing presence of accused. However the accused are absent. Summons/warrants were repeatedly issued against accused but prosecution failed to secure his presence despite several opportunities. In such circumstances, possibility of securing his presence in near future appears remote. Case is old, stale and ineffective. Moreover there being report of Chemical Analyzer forthcoming on record, however due to continuous absence of accused there is no possibility that the case will be concluded in near future and that is also in conviction of accused. In spite of several opportunities, prosecution could not secure the presence of accused. There is no progress in the case since long, due to continuous absence of accused. There is no subject to keep such stale and ineffective case on the board. Thus, considering facts and circumstances as well as the nature of offence levelled against accused and the purpose of special drive, this is a fit case where powers under section 258 of Cr.P.C can be invoked. Hence, in the interest of justice, I proceed to pass the following order.

ORDER

1. The proceeding is hereby stopped under section 258 of Criminal Procedure Code.
2. Accused are discharged for the offence punishable under section 65(e), 83 of the Bombay Prohibition Act.
3. Bail bond of accused stands cancelled.
4. Muddemal 690 bottles of country liquor of 90 MLs. be sent to Excise Department for disposal as per rule after appeal period is over.
5. The seized muddemal, from accused no. 1. i) Cach of Rs. 2000/- (4 currency notes of Rs. 500/-each), and Cash of Rs. 600/-(3 currency notes of Rs.200/- each), and Cash of Rs. 700/-(7 currency notes of Rs.100/- each), Case of Rs.450/-(9 currency notes of Rs. 50/- each). be credited with the government if nobody claimed it after the appeal period is over.
6. The seized muddemal, from accused no. 2. i) Cach of Rs. 200/- (1 currency notes of Rs. 200/-each), and Cash of Rs. 100/-(2 currency notes of Rs.50/- each), and Cash of Rs. 40/-(2 currency notes of Rs.20/- each). be credited with the government if nobody claimed it after the appeal period is over.
7. One M.I. Company's mobile of Blue colour Note 9 Model is seized from accused no. 2 Prashant Hari Pawar. If it is returned to claimant then its custody be continued with him after appeal period is over and if that mobile is not claimed by anybody after appeal period is over then that mobile be sold out in auction

and its amount be credited to government.

8. The seized muddemal, from accused no. 3. i) Cash of Rs. 6500/- (13 currency notes of Rs. 500/-each), and Cash of Rs. 1000/-(5 currency notes of Rs.200/- each), and Cash of Rs. 600/-(6 currency notes of Rs.100/- each), Cash of Rs.50/-(1 currency notes of Rs. 50/- each), Cash of Rs. 20/-(2 currency notes of Rs.10/-eacg). be credited with the government if nobody claimed it after the appeal period is over.
9. One Vivo Company's mobile of sky blue colour S-1 Model is seized from accused no. 3 Sopan Raman Pawar. If it is returned to claimant then its custody be continued with him after appeal period is over and if that mobile is not claimed by anybody after appeal period is over then that mobile be sold out in auction and its amount be credited to government.

Date 10.03.2026.

(Smt.Vrushali D.Sungare)
Judicial Magistrate First Class, Chandwad