

CNR No.MHOSO7-000240-2016

R.C.C.108/2016
State Vs. Trimbak**ORDER ON EXH.26**
(Passed on 29.07.2022)

This is an application filed by prosecution on 02.11.2019 under Sec. 216 for addition of charge under Sec. 328 of Indian Penal Code against accused persons. Defence strongly opposed this application by filing reply on Exh. 27. Record shows that matter is more than 6 years old. My learned predecessor on while issuing process on 27.01.2016 on Exh. 1 held that no offence is made out against accused under Sec. 328 of Indian Penal Code. Hence process issued against accused under Sec. 188,272,273 of Indian Penal Code and Sec. 59 and 63 of Food Safety and Standard Act 2006. Plea of accused recorded on 20.06.2018 vide Exh. 21 under Sec. 188,272,273 of Indian Penal Code and Sec. 59 and 63 of Food Safety and Standard Act 2006. Further record shows that till today prosecution examined one witness on 07.09.2018 and matter remain without any progress since long. Without following due process for challenging the order of issue process and by placing this kind of application creates only chaos, uncertainty and confusion in old matter. Considering the situation on record and to avoid delay in proceeding, I proceed to pass following order.

ORDER

Application Exh. 26 is hereby rejected

Sd/-

Date: 29.07.2022

(Smt. S.H. Rath)
Judicial Magistrate FC, Omerga

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	---	M.K.Kulkarni
Court	---	Jt. C.J.J.D. & J.M.F.C., Omerga
Date	---	29-07-2022
Order signed by the Presiding Officer on	---	29-07-2022
Order uploaded on	---	30-07-2022