



Order Below Exhibit 1 in SCC No. 291/2021
State of Maharashtra Vs. Dinesh Harishchandra Mhase

1. As per order of Hon'ble High Court and letter of Hon'ble District Court, this special drive is taken. The record shows that the case is filed under the Bombay Prohibition Act. The accused is absent since long. On going through the case record it reveals that, the case is pending since long time to secure presence of accused, inspite of reasonable efforts presence of accused could not be secured.
2. In the present matter CA report is filed since from long period, but prosecution failed to secure presence of any witness and presence of accused in the said matter. Therefore, though there is CA report in the matter. Prosecution failed to proceed in the matter as per law.
3. In such circumstances, considering nature of offence, proceeding and the evidence on record there is the least possibility of getting success to the prosecution after taking the evidence. Therefore, no purpose would be served to keep the case pending further for years together. Hence, this is fit case to stop the proceeding under Section 258 of the Code of Criminal Procedure, Hence the following order passed.

ORDER

1. This proceeding is stopped under Section 258 of the Code of Criminal Procedure 1973.
2. The accused is discharged from the offence punishable under Sections 12, 65(e), 90 of the Bombay Prohibition Act.

3. Bail bond of accused if any stands cancelled/cash security furnished by the accused, if any be forfeited and credited to the Government.
4. The muddemal property i.e. seized liquor as per record be sent to Excise Department for its disposal according to Law after appeal period is over.
5. Other Seized property being worthless scrap be destroyed after appeal period is over.
6. Seized property if any, being perishable, be destroyed after appeal period is over.

Date: 10/12/2025.

(Smt. P.H. Ahire)
Judicial Magistrate First Class,
(Court No.3), Palghar.