

S.C.C. No. 1396/2025
Crime No. 119/2025
State Excise Department,
Tal.Daund, Dist. Pune.

Order Below application filed by police station in-charge
Dt.04/04/2026.

I have gone through the application and the Case Law of *The Hon'ble Supreme Court, Sundarbhai Ambalal Desai Vs. State of Gujrat reported in AIR 2003 SC 638*. As per the contention of the police that liquor muddemal is pending at police station. The police has sought order vide section 457 of the Cr. P.C. in respect of possession and disposal. Considering the provisions of the Maharashtra Prohibition Act, 1959 and the ratio laid down by the Hon'ble Apex Court in above referred case. It is necessary to direct the police station in-charge disposed of muddemal after preparing the necessary panchnama, before disposing it would necessary to inform the accused. Hence, I pass the following order.

ORDER

1. Muddemal be disposed of as per rule more specifically considering sec. 132 of the Act and as per Notification of The Commissioner of Excise & Prohibition Bombay's Notification No. D.S.81-2/53, dtd. 1st December, 1953 and The Commissioner of Excise & Prohibition Bombay Notification NO. D.S.81-1/54, dtd. 7th January, 1954 and other notifications, which are in-force, *after informing the accused*. Panchnama be prepared. Other muddemal like utensils etc. be disposed off as per rule.

2. Inform the concern police station.

Daund
Date : 06/06/2026.

(A. S. Shaikh)
Judicial Magistrate First Class,
(Court No.4) Daund.