

SCC No. 677/2024
State vs. Akashy
CNR No. MHRG060012522024

ORDER BELOW EXH. 01
(Passed on 09.03.2026)

Perused record.

2. The matter is fixed for appearance of the accused in which charge-sheet has been filed under section 84 of the Maharashtra Prohibition Act on 23.12.2024. Accused has not appeared till today. However, chemical Analysis report is also not available on record. Sufficient opportunity has been given to the prosecution to file CA report on record. The case is around 01 years 03 months old. In such circumstances, I do not found any substance to keep the matter pending idle for years to come. This Court is of the opinion that, the present case is fit to stop proceeding under section 258 of the Code of Criminal Procedure. Hence, the Court inclined to pass following Order:

ORDER

- (i) The proceeding is stopped under section 258 of the Code of Criminal Procedure.
- (ii) Accused Akashy Amar Tayade is acquitted of the offence punishable under section 85 (1)(a) of the Maharashtra Prohibition Act.
- (iii) As per Section 451 of the Code of Criminal Procedure, after appeal period, seized property be disposed of as per law.
- (iv) The original police papers be retained in "C" file for their use in the event of re-opening the case under section 300(5) of the Code of Criminal Procedure.

Place : Pen.
Date : 09.03.2026

(Smt. A. A. Kale)
Judicial Magistrate First Class, Pen.