

MHRG070014772023



S.C.C No. 528 /2023
ORDER BELOW EXH. 1

The accused is alleged to have committed an offence punishable under section 65(E) of the Bombay Prohibition Act. The plea is recorded. The case is summary trial. I have gone through the charge-sheet, there is no CA report. From perusal of charge-sheet, it appears that the prescribed procedure at the time of raid, seizure of muddemal property and at the time of sending the sample for chemical analysis is not followed. Therefore, even though if C.A. report is filed on record, it will not help the prosecution in trial. Thus, no purpose will be served in keeping this case pending. Today, the case is kept for special drive as per the direction of the Hon'ble High Court. Under such circumstances this is a fit case to take recourse of section 258 of the Code of Criminal Procedure and to stop the proceeding. Hence, I pass the following order.

ORDER

1)	The proceeding is stopped as per section 258 of the Code of Criminal Procedure.
2)	Accused is Discharge.
3)	Bail bond of accused is cancelled.
4)	Muddemal 20 ltr Plastic can of filled with liquor , 5 ltr plastic can filled with liquor, be sent to State Excise department, Raigad-Alibag for disposal according to law if not disposed off earlier. The muddemal motorcycle bearing No.

MH46 CD 0240 be returned to original owner if not returned earlier.

Sd/-

(Smt. A.S. Wadkar)

Judicial Magistrate, F.C., Karjat

Dist. Raigad

Place: Karjat.

Date : 09/03/2026