

MHRG080015222023

**S.S.C. NO.943/2023***(State of Maharashtra V/s. Bharat Shivram
Kamble)***Order Below Exh.1**

Today this case is kept for the special drive. Perused the record and proceeding. None is present when called for. The accused is charge sheeted for the offence punishable u/s.65(e) of the Maharashtra Prohibition Act. The charge sheet is filed on 18/09/2023. The accused appeared in the case and plea of accused recorded on 21/01/2025. The prosecution has not examined any witness till today. Therefore, summons as well asailable warrant issued against the witnesses several times, presence of witnesses is not secured till today. Cognizance of offence punishable u/s. 65(e) of Maharashtra Prohibition Act is taken on 18/09/2023. Though sufficient opportunity is given the prosecution has failed to produce Chemical analysis report on record. Under such circumstances no fruitful purpose will be served by keeping present case pending henceforth. Moreover, there is less possibility of securing presence of witnesses in near future. Therefore, I am of considered view that it is fit case to stop the proceeding u/s.258 of Code of Criminal Procedure. In this view of matter, I proceed to pass the following order.

ORDER

- 1- The proceeding is stopped u/s.258 of the Code of Criminal Procedure.
- 2- Accused stands discharged.
- 3- Bail bonds of accused stands canceled.

- 4- Seized illicit liquor is not deposited in the Court. If the same is available with police, then police is directed to deposit the same with the office of Superintendent, State Excise, Raigad Division, Raigad for disposal as per law.

Date. 09/03/2026

(Dipali S. Khot.)
Judicial Magistrate, First Class,
(Court No.2), Khalapur.