

ORDER BELOW EXH.01

The case is listed today for special drive. Perused the record. Charge-sheet against the accused for offence punishable under section 65E of Maharashtra Prohibition Act 1949 is filed by Investigation Officer on 28.02.2024, two prosecution witness are also examined, however, no chemical analyze report to prove liquor found in possession of the accused is filed with charge-sheet. Without report of Chemical Analyze Laboratory, it will not be fruitful by proceeding in present case, case will not be resulted in conviction of the accused. Even after 2 years from filing the charge-sheet such report is not filed. Resultantly, no purpose would serve to continue with such proceeding. Hence following order is passed.

ORDER

1. The present proceeding is hereby stopped under section 258 of the Code of Criminal Procedure 1973.
2. The accused is acquitted of an offence punishable under section 65E of Maharashtra Prohibition Act 1949 vide section 258 of the Code of Criminal Procedure 1973.
3. The original police papers be retained in 'C' file for their use in the event of reopening of the case under section 300(5) of the Code of Criminal Procedure 1973.
4. Muddemal if any, be disposed as per rules.
5. Case stands closed.

Date : 09.03.2026
Place : Roha

(S. V. Khaire)
Judicial Magistrate First Class, Roha.