

MHRG120002612024



S.C.C./198/2024

State Vs. Malati Malhari Patil

ORDER BELOW EXH - 01

The matter is kept in special drive. Perused the record. It is a summons case instituted on police report. The accused is facing trial for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act.

Since long case is pending for presence of accused. Despite of process issued against accused from time to time, prosecution failed to secure presence of accused. Further, there is no C.A. report filed till today. Considering these facts and circumstances, it will not be a just and lawful to keep this matter pending further. Under such circumstances, no purpose would be served by keeping this matter pending. Hence, by invoking the powers under section 258 of the Cr.P.C., I think it fit to stop the proceeding of present case with direction to dispose off the property according to law. Resultantly, I pass the following order ;

ORDER

1. The proceeding against accused is stopped under Section 258 of the Criminal Procedure Code subject to Section 300(5) of the Cr.P.C.
2. Accused is released vide Section 258 of Cr.P.C. Such release shall have the effect of discharged.
3. As per section 452 of the Cr.P.C. after the appeal period, Muddemal be forwarded to the State Excise Department, for disposal according to law.

Date: 09-03-2026

(G.R.Tiwari),
Judicial Magistrate First Class,
Murud, Dist. Raigad.