

**ORDER BELOW EXH.01 IN SCC NO.397/2021****MHSI06-000829-2021****(Krushnai Construction through Prop. Chandrashekhar Dyanandev
Khadapkar Vs. Sakharam Suresh Morajkar)**

1. This complaint u/s. 138 of the Negotiable Instrument Act, is filed on 05/10/2021. Plea of the accused is recorded on 09/06/2023. The case is proceeded as summons trial. Since then, case is pending for the evidence of the complainant. On perusal of the roznama, it appears that, Complainant is absent since long. The case is referred for Lok Adalat and Mediation. However, it is not settled. The case is adjourned on various occasion at the instance of complainant. Application on behalf of complainant for adjournment filed on 16/09/2025 at Exh. 17, On 17/12/2025 at Exh. 18. At Exh. 18, last opportunity granted to the complainant by imposing cost of Rs. 200/-. Thereafter on 28/01/2026 application for adjournment is allowed subject to cost of Rs. 300/-. Thereafter also matter is adjourned on 24/03/2026. However no one appeared in the case on behalf of the complainant. No cost has been paid by the complainant.
2. Today complainant and his Ld. Counsel are absent when called out repeatedly. The conduct of the complainant itself shows, he has lost his interest in the case. Accused is appearing on every date of hearing, except his appearance is exempted. Hence, no

purpose would be served by keep pending present case as it is.

Hence, I pass following order.

-:: ORDER :: -

1. Complaint is dismissed for want of prosecution.
2. Accused namely Sakharam Suresh Morajkar R/o Insuli, Dobwadi, Tal. Sawantwadi, Dist. Sindhudurg is hereby acquitted for the offence punishable u/s. 138 of the Negotiable Instruments Act.
3. His bail bonds stands cancelled and surety is discharged.
4. Proceeding is hereby closed.

(Dictated and Pronounced in open Court.)

Date: 28/04/2026

(Smt. R. G. Kumbhar)

Place: Sawantwadi

Judicial Magistrate, First Class,
Sawantwadi.