

**ORDER BELOW EXH.01 IN S. C. C. No. 459/2016****CNRNO.MHSN07000928-2016****(Shri Mahankali Sah. sakhar karkhana Ltd Vs. Popat Shirtode)**

This complaint is filed under 138 of the Negotiable Instruments Act. Perused the record. The present complaint is pending since long for securing presence of the accused. Record shows that complaint is pending since 19.07.2025 for evidence of the complainant. However, *Rojnama* shows that, the complainant is absent since then and failed to lead evidence. Therefore, present complaint is pending without evidence. Therefore, by passing order below exh. 1 on 09.02.2026 direction was given to the complainant for necessary steps. However, he failed to take steps despite of direction. Hence, again by passing order below exh. 1 on 25.03.2026, case was kept for dismissal order. On 07.04.2026 and 29.04.2026 case was adjourned without passing dismissal order on today's board. However, today also the complainant is absent when called. Till today no effective steps have been taken by the complainant for aforesaid purpose. The case is more than 09 years old and pending since last more than one year without any progress. There appears no reason to keep the complaint pending without any steps by complainant. Considering continuous absence and failure to take necessary steps by the complainant. I pass following order.

ORDER

1. The complaint is dismissed u/s. 256(1) of Cr. P. C. 1973 for the non appearance of the complainant and for want of prosecution.

2. Accused Popat Ramchandra Shirtode is hereby acquitted as per Section 256 of the Cr.P.C. for the offence punishable U/s. 138 of the Negotiable Instruments Act.

Kavathe Mahankal
Date- 29.06.2026

(M.A.Kulkarni),
Judicial Magistrate First Class,
Kavathe Mahankal

CERTIFICATE

I affirm that the contents of this P.D.F. file judgment are same, word to word, as per the original order / judgment.

Name of the Stenographer	:	Mrs. J. A. Salunkhe. (Stenographar grade - III)
Court	:	Jt. C.J.J.D. and J.M.F.C., Kavathe Mahankal.
Date	:	11.06.2026
Order /judgment signed by P.O. on	:	11.06.2026
Order /judgment uploaded on	:	11.06.2026