

MHST060011212023



ORDER PASSED BELOW EXH 1 IN S.C.C. No. 536/2023

Today, the matter is taken up for Special Drive. Perused the record. Heard learned A.P.P Shri. Y. D. Ingawale., he submitted that proper order may be passed.

02. Record shows that despite of various attempts presence of witnesses could not secure. The matter is pending without progress due to fault of serving authority. It would be futile exercise to keep the matter pending without progress. Considering nature and seriousness of the offence, it is not desirable to keep the matter pending for indefinite period. Even otherwise, C.A. report is not available on record. Therefore, no purpose would serve be keeping matter pending without progress. Thus, this is fit case to pass order under Section 258 of Cr.P.C. Even otherwise, the prosecution can take recourse of Section 300(5) Cr.P.C., in proper circumstances. Hence, I pass following order.

ORDER

1. Proceeding is stopped under Section 258 of Cr.P.C.
2. The accused is hereby acquitted of the offence punishable under Section 65(e) of Bombay Prohibition Act.
3. Liquor Muddemal be sent to State Excise Department, Satara for its disposal as per law, after appeal period is over.

Date : 10.03.2026

(S. S. Gadve)
Judicial Magistrate F.C., Dahiwadi.