

MHST080009802015

REGULAR CRIMINAL CASE NO.141/2015

State of Maharashtra

V/s.

Shahida Mahadeo Tupe

ORDER BELOW EXH.01

On perusal of record, it appears that present case was registered against the accused for the offence punishable under Section 379 of the Indian Penal Code in the year 2015. It further appears that, accused was present in the case and gave surety. Thereafter, accused was absconded till today. Hence, standing N.B.W. order as well as proclamation order were passed against the accused. However, prosecution failed to secure her presence till today. It also appears from the record that charge was not framed against the accused. As accused remained absent since many dates, the standing N.B.W. and written proclamation were issued against her time and again. However, the presence of accused could not be secured. Present case is more than 11 years old. Already ample opportunity is given to the prosecution to secure the presence of accused. In these facts and circumstances, it appears that no purpose will be served by keeping case pending against accused. Hence, considering peculiar circumstances as well as unavailability of any incriminating evidence to frame charge against accused, I proceed to pass following order-

ORDER

1. Accused is hereby discharged from the offence punishable under Section 379 of the Indian Penal Code vide Section 239 of the Code of Criminal Procedure.

2. Bail Bonds of accused, if any, is hereby cancelled.
3. Muddemal i.e. Cash amount of Rs.800/- vide V.R. No.11/2016 and C. Register No.02 dated 06.04.2016, be forfeited to the State Government after an appeal period is over.
4. Standing N.B.W. and proclamation, if any, be recalled immediately.
5. The case is disposed of accordingly.

Date: 18.06.2026
Place: Khandala

(Smt. S. G. Kuvalekar)
Judicial Magistrate First Class,
Khandala