



In view of Hon'ble Bombay High Court Letter B (Gen)-
1001/2026/223, dated 18th February, 2026

Order below Exh-1 IN S.C.C.1056/2024

The accused is charge sheeted for the offence punishable under section 65(e) of the Maharashtra Prohibition Act. The charge sheet was filed on 04.04.2024 and registered on 27.05.2024.

2. Summons was issued to the accused on 18.07.2024. I have recorded plea of the accused at Exh.6 on 12.12.2024. The matter is pending for recording prosecution evidence. In spite of issuance of witness summons to all witnesses, service of witness summons witnesses remain absent.

3. No prosecution witness is examined by the prosecution. **Moreover, there is no Chemical Analyzer's Report on record. In absence of the Chemical Analyzer's Report it cannot be inferred that the seized muddemal was of liquor.** Despite of sufficient opportunities, the prosecution has failed to secure the presence of its witnesses. In these circumstances, no good purpose will be served by keeping the matter pending anymore. The police have seized 9 sealed bottles of Deshi Daru Tango Punch of 180 ml each worth Rs.630/-. That muddemal be sent to the Collector of Excise after appeal period for disposal according to law. Hence, I pass the following order.

ORDER

1. The proceeding is hereby stopped vide Section 258 of the Code of Criminal Procedure, 1973.
2. The accused is released of the offence punishable under section 65 (e) of the Maharashtra Prohibition Act vide Section 258 of the Code of Criminal Procedure, 1973.
3. The seized muddemal i.e 9 sealed bottles of Deshi Daru Tango Punch of 180 ml each worth Rs.630/- can be sent to the Collector of Excise for disposal according to law after appeal period.

Place : Phaltan
Dated : 11.03.2026

Smt. J.S.Khedkar-Goyal
Judicial Magistrate First Class, Phaltan

CERTIFICATE

I affirm that the contents of this PD.F. file Order are same word for word as per original Order.

Name of Stenographer : Shri. A. S. Bagal
Court Name : Smt. J. S. Khedkar-Goyal,
J.M.F.C., Phaltan
Order Date : 11.03.2026
Order signed by Presiding Officer : 11.03.2026
Order Uploaded On : 11.03.2026