



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

**Order below Exh-1 IN S.C.C.1364/2024**

The accused is charge sheeted for the offence punishable under section 65(e) of the Maharashtra Prohibition Act. The charge sheet was filed on 20.06.2024 and registered on 19.07.2024.

2. Summons was issued to the accused on 24.07.2024. I have recorded plea of the accused at Exh.7 on 07.02.2025. 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 2 cans having capacity of 35 Ltrs. of *Tadi* worth Rs.1800/- and 5 plastic mug worth Rs.100/- total Rs.1900/-. 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 2 cans having capacity of 35 Ltrs. of *Tadi* worth Rs.1800/- and 5 plastic mug worth Rs.100/- total Rs.1900/- 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 P.D.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