

R.C.C. No. 38/2015

State V/s. Datta Pawar

ORDER BELOW EXH. 1

1. The case is year of 2015. It is listed on the old matter file as the accused is not traceable.

2. The informant is examined at Exh. 12 & Pursis Exh. 11. The offence alleged against the accused is of theft of informant money, mobile and necklace. Informant deposed that he does not recollect that what incident took place due to passage of many year. He further submits that he has no interest in the prosecuting the case against the accused and he does not want to examine any witness in his favour.

3. The victim in the present case is the informant and when he deposes before the court that he does not want to proceed with the case and give any evidence or examine any witnesses against the accused, the case against the accused does not stand made out. Hence, the accused is liable to be discharged under section 239 of Cr. PC. Hence, the order :

I) Accused is stands discharged for the offence punishable under section 457, 380 of the IPC vide section 239 of Code of Criminal Procedure.

Sd/-

Place:- Shahapur.
Date:- 28.04.2026.

(Ku. S. S. Kulkarni)
Judicial Magistrate First Class,
Shahapur.