

**S.C.C. No.125/2025
State ..Vs..Subhash**

ORDER BELOW EXH.1

In view of order No.132/2026 of Hon'ble PDJ Washim dated 28/04/2026, it is desirable to dispose off the cases under section 256 & 258 of the Court of Criminal Procedure, 1973. Therefore case is taken on today's board.

In the present matter the accused is being prosecuted for the offence punishable under sections 65(e) of the Maharashtra Prohibition Act. Perused the record and roznamas. It appears that at several times summons came to be issued against the accused. Despite the fact presence of the accused could not be secured. Record discloses that till today the prosecution did not file on record the C.A. report regarding Chemical Analysis of the alleged liquor. As the C. A. report is not filed on record, proceeding with the matter would be nothing but a futile academic exercise. The matter is registered as summary criminal case. So also in view of order of Hon'ble Principal District & Sessions Judge, cited supra, it is desirable to dispose off the cases under section 258 of the Court of Criminal Procedure, 1973. Hence, considering the facts, circumstances, nature and age of the case I am inclined to pass the following order.

ORDER

- 1) The proceeding against the accused is stopped under section 258 of the Code of Criminal Procedure.
- 2) The bail bonds if, any of the accused stands cancelled.
- 3) The surety if, any stands discharged.
- 4) The seized liquor be sent to the State Excise Department for disposal according to law after the period of appeal is over as per rules.
- 5) The proceeding is disposed off.

Date: 06.05.2026

(Ms. Trushna G. Bansod)
Judicial Magistrate First Class
(Court No. 2), Mnoara