

**ORDER BELOW EXH.1****Date 12/03/2026**

In the view of letter of the Hon'ble District Court, Yavatmal, O.W. No. 1110/सांख्यीकी/2026 dated 20/02/2026 it is directed to undertake special drives on the five working days prior to the National Lok Adalat i.e. from 09/03/2026 to 13/03/2026, to dispose of cases under Section 256 of Criminal Procedure Code, 1973 (Section 279 of Bharatiya Nagarik Suraksha Sanhita 2023) and under Section 258 of Criminal Procedure Code, 1973 (Section 281 of Bharatiya Nagarik Suraksha Sanhita, 2023). Therefore, the matter is taken on today's board for its consideration in the special drive. Perusal of record and proceeding shows that police station Khandala has filed the chargesheet against the accused for the offence punishable under Section 65(f) of the Maharashtra Prohibition Act.

2] Perused the record of the case. It transpires that, accused is charge-sheeted for an offence punishable under section 65(f) of the Maharashtra Prohibition Act. It is alleged by the prosecution that, the accused are found illegally carrying liquor for selling purpose. Accused remained absent in the present matter since long. Therefore, in order to secure presence of the accused the summons against the accused was issued time to time. However, till today police machinery failed to secure presence of the accused in spite of several opportunities. No vigilant steps taken by the prosecution to secure the presence of accused.

3] Perusal of the record it appears that, there is no chemical

analysis report filed on record. In absence of chemical analysis report, even if entire prosecution case is taken as it is, it would not be warrant conviction against the accused. As the prosecution failed to secure the presence of the accused and the above facts and circumstances. I am of the view that, there is no alternative to stop the proceeding of the case under section 258 of Code of Criminal Procedure. Hence, I passed the following order -

ORDER

1. The proceeding of this case is hereby stop against the accused under section 258 of Code of Criminal Procedure.
2. The accused namely Ramchandra Shivram Dudule stands released from the offence punishable under section 65(f) of the Maharashtra Prohibition Act.
3. His bail bonds are canceled, if any. He is set at liberty.
4. Seized muddemal i.e. liquor, if any, be sent to the State Excise Department, Pusad for necessary action according to law.
5. Warrant / Summons issued against accused be called back from concern police station.
6. The case is disposed of accordingly.

Pusad
Date : 12/03/2026

(G. G. Chonde)
Judicial Magistrate F. C.,
Pusad