

ORDER BELOW EXH. 1

Accused is prosecuted for the offence punishable under the provisions of the Cigarettes and Other Tobacco Products Act.

2. Perusal of the record shows that, the matter is pending for appearance of accused. However, prosecution failed to secure presence of the accused till date. The matter is pending idle since long.

3. The alleged offence is punishable with imprisonment which may extend to 2 years or with fine which may extend to Rs. 3,000/- or with both. Thus, the offence is petty in nature.

4. The Hon'ble Bombay High Court has issued directions to conduct "*Special Drive during 4th to 8th September, 2023*" to reduce pendency of unattended petty matters. Hence, the matter is taken on today's board for passing appropriate orders.

5. Considering the nature of offence, as the accused is not traceable, in my view, no purpose would suffice by keeping the matter pending. Thus, present case fits the criteria. Hence, I find it just & proper to invoke powers under Section 258 of the Code of Criminal Procedure & stop the proceedings. Accordingly, I proceed to pass following order :

ORDER

1. The proceeding is hereby stopped *vide* Section 258 of the Code of Criminal Procedure and the accused is released.
2. Case be disposed off accordingly.

Place : Pune

Date : 06/09/2023

(Vickrant P. Khandare)

Judicial Magistrate First Class, Pune.

(Court No. 6)