

MHYA170000652002

-: ORDER BELOW EXHIBIT No. 1 :-

[Passed on 25/03/2026]

Perused the record. The Charge-sheet is filed against accused for the offence punishable under Section 279, 337, 338 and 304-A of I.P.C. The accused was absconding since long. Therefore N.B.W. came to be issued against the accused on various occasions. Thereafter, proclamation was also issued against accused. However, his presence is not secured till today. Procedure given under section 299 of Cr.PC was also adopted. Accordingly, summons were issued. The prosecution examined P.W.1 Madhukar Dattuji Ghode- Panch witness, P.W.2 Subhash Shankar Kadu- Eye Witness and P.W.3 Ramesh Govindrao Mohije- Inquest Panch. These witnesses have not deposed anything about the identity of accused and registration number of alleged vehicle involved in the accident. On the other hand, summons was issued to witnesses Narayan Bapurao Harne, Rajendra Babarao Bhojar. However, these witnesses were given up by the prosecution as not supported to the case of prosecution. Spot witness namely Rajendra Babarao Bhojar found to be not traceable vide summons report Exh.03. So also Informant namely Narayan Harne reported dead vide summons report Exh.04. Record shows that the prosecution has tried their level best to secure the presence of the other witnesses and to examine material witnesses.

2. The case is more than 23 years old and pending without any progress. There is no possibility that the accused will found in near future. No evidence came on record against the accused. In such

circumstances, it will be not just and proper to keep case in pending without any progress for and indefinite period. Therefore, there is no alternative except to discharge the accused. Hence, I pass following order.

ORDER.

- 1) Accused is discharged from Section 279, 337, 338 and 304-A of the I.P.C. vide Section 239 of Cr.PC.
- 2) Bail bonds of accused if any stand cancelled.
- 3) The standing warrant issued against the accused be call back.

Date: 25/03/2026
Kalamb

Sd/-
(H. N. Pole)
J.M.F.C., Kalamb.