

**(ORDER BELOW EXH.1)**

Perused record. The offence is punishable under section 65 (a) (e) of Bombay Prohibition Act. Matter is pending for securing presence of accused since the commencement of proceeding. Bailable warrant were repeatedly issued against accused, but prosecution failed to secure his presence despite several opportunities. In such circumstances, possibility of securing his presence in near future appears remote. The C.A. Report is also not filed by the prosecution till the date, hence there is no possibility that the case would be concluded in the conviction of accused. The case is old, stale and ineffective. There is no reason to keep such stale and ineffective case on board unnecessarily. Thus, considering facts and circumstances, this is a fit case where powers under section 258 of Cr.P.C can be invoked. Hence, in the interest of justice, I pass the following order.

**ORDER**

1. The proceeding is hereby stopped under section 258 of Criminal Procedure Code.
2. Accused is discharged for the offence punishable under section 65(a)(e) of the Bombay Prohibition Act.
3. Muddemal i.e. 33 bottles of country liquor be sent to the Collector, Excise, Yavatmal for disposal according to law, after the appeal period is over.
4. Muddemal i.e. one two wheeler Hero Company bearing registration no. MH-29-AS-9532, if earlier not given on suprutnama, it will be handed over to its registered owner after appeal period is over.

(P. R. Patil )

Date- 12.03.2026.

Judicial Magistrate First Class, Ghatanji,  
District-Yavatmal.