



ORDER BELOW EXH.01 in S.C.C. No.175/2021
State thr. State Excise Dept. Wani Vs. Mayur Prabhakar
Kotalwar

1) In view of the permission sanctioned by the Honorable Registrar (Inspection-I) High Court (Appellate Side) Bombay, vide No. B(Gen.)-1001/2026/2023, dated 18/02/2026 and the directions issued by the Honorable Principal District and Sessions Judge, Yavatmal, vide O.W.No.-1110/Statistic/2026, Dated 20/02/2026, I have been empowered to conduct Special Drive and to dispose of suitable matters u/Sec.256 and 258 of the Code of the Criminal Procedure, 1973 and Section 269 and 281 of Bhartiya Nagarik Suraksha Sanhita, 2023. Accordingly, the matter is kept in Special Drive.

2) The accused is tried for the offence punishable under **Section 65(a)(e) of Maharashtra Prohibition Act**. Perused the record. It reveals that, in spite of issuing non-bailable warrant, the prosecution failed to secure presence of the accused. It appears that, it is improbable to trace out the accused. The case is more than **05** years old. In such circumstances, no purpose would be served by keeping the case pending before this Court. Therefore, it is necessary to stop the proceeding against the accused. Hence, considering the absence of the accused, I pass the following order;

ORDER

- 1) The proceeding is stopped U/s 258 of Code of Criminal Procedure.
- 2) The accused is discharged from the offence punishable **Section 65(a)(e) of Maharashtra Prohibition Act** vide Sec.258 of Cr.PC.
- 3) **Seized 144 bottles each of 180 m.l.** of country liquor be sent to the State Excise Department, Wani after appeal period is over for disposal according to law.

4) The suprutnama of seized black Hero Honda motorcycle bearing Reg.No.MH-34-U-86 be cancelled after the appeal period is over, if released on supurtnama. If the vehicle is not released on supurtnama, then it be returned to its bonafide owner and if no owner is found within appeal period, the seized motorcycle be handed over to R.T.O., Yavatmal for disposal according to law.

Place: Wani

Date : 12/03/2026.

(Shahaji D.Bhosale)

Judicial Magistrate (First Class),

Court No.1, Wani.