

ORDER BELOW EXH. 1
(Passed on 09/02/2023)

This is a case wherein the accused is alleged to be committed an offence punishable under section 7(2), 20(2) of Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commence, Production, Supply and Distribution) Act 2003. Accused is absent since long. For several times summons were issued, however, the police machinery was not successful in ferreting whereabouts of the accused. Considering the persistent absentism of the accused and failure of the prosecution to secure his presence and also considering the nature of the offence as trifle nature, it appears that there is no propriety to continue the proceedings at the same stage at the cost and time of public money. I do not feel that this case should be kept pending in anticipation of presence of the accused in near future. Hence, this is fit case to invoke powers under section 258 of the Cr. P.C. Hence, following order :-

ORDER

1. The proceeding against the accused is stopped vide section 258 of Criminal Procedure Code.
2. The accused is discharged of the offence punishable under section 7(2), 20(2) of Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commence, Production, Supply and Distribution) Act 2003
Pronounced in open Court.

Sd/-

J.M. Chouhan

Judicial Magistrate First Class,
Court no.2, Pune.

Pune.
Date : 09/02/2023.

CERTIFICATE

I affirm that the contents of this PDF file order are same word for word as per original order.

Name of Steno	: Sonam N Sargde/Badekar (Steno, Grade-III)
Name of Court	: Shri. J.M. Chouhan, 5 th J.M.F.C. Court No. 2, Pune.
Date of order	: 09/02/2023
Order signed by P.O.on	: 09/02/2023
Order uploaded on	: 10/02/2023