

C.C.No. 75303-2019

Order below Exhibit-1

Peruse the record of the case. Police has filed charge sheet against the accused for the offence under sec. 379 of I.P.Code.

The complainant was present before this Court and filed a pursis that he is willing to withdraw the complaint.

Looking the provisions of Sec.320 of Cr.P.Code regarding the nature of the offence. It shows that the offence is compoundable at the instance of complainant. Herein the present case complainant has catagarically metioned that he is not willing to proceed further.

It is further pertinent to metion here that accused is not present before this Court. But it is settled position of law that presence of accused before the Court is not necessary to record the submission of the

V G Rana-Addl.Chief Metro. Magistrate, Court No. 23, Ahmedabad.

complainant to withdraw the case, as it is at the instance of the complainant only.

Hence, it is hereby ordered to record pursis and thereby disposed off the case. It is further ordered to acquit the accused for the offence. Office is directed to re-call process, if any, issued against the accused without executing it further.

Interim order,if any, passed for handing over muddamal shall be considered as final.

If the muddamal is still lying at police station, the station officer is directed to handover it to the owner, after due varification. Registry is directed to send Yadi to concern police station immediately.

Order pronounced Today in the Open Court.

Ahmedabad.

Date.09/12/2023

(Virendrasinh Gemalsinh Rana)
Addi. Chief Metro. Magistrate,
Court No.23
GJ00964