



IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE, (MR.J.J.BHATT), VADODARA
SPECIAL SITTING HELD ON 13TH DECEMBER 2025.

CRIMINAL CASE NO. 35070/2008

ORDER BELOW EXH.1

1. The matter is pending for the offences under section 504,507,506(2),186,189,114 of Indian Penal Code. The matter is of the 2008 year.
2. Charge has not framed.
3. Numerus processes were issued and the Police Authorities have tried many times, but the accused could not be trace.
4. It is the responsitbility of the State to ensure the presence of the accused before the Court and it is also the responsibility of the prosecution to adduce evidence within the reasonable time.
5. In veiww of the above, it appears that no fruitful purpose is going to be served by keeping the matter pending before the Court.

6. The learned Assistant Public Prosecutor for the State has also filed a Pursis stating that the State is desirous to withdraw the case under Section 321 of the code of Criminal Procedure, 1973. The matter being old, the provision of the Bharatiya Nagarik Suraksha Sanhita, 2023 is not applicable in the present matter and, therefore, the question of hearing of the victim does not arise. Hence, the matter is such where withdrawal of prosecution of Section 321 of the Code of Criminal Procedure, 1973 can be permitted. If the accused are apprehended in future, the State is at liberty to revive the case. Hence, the following order is passed.

O R D E R

1. The learned Assistant Public Prosecutor is hereby permitted to withdraw the Case.
2. As the charge is not framed, the accused is discharged.
3. It is clarified that if the accused is apprehended in future, the State is at liberty to revive the case. The discharge hereinabove is subject to such revival of case.

Order passed in Special Sitting held today.

Date : 13.12.2025

(JIGNESHKUMAR JANARDAN BHATT)

ADDL.CHIEF JUDICIAL MAGISTRATE

VADODARA

UID: GJ00750