

MHTH090005922008

R.C.C.No. 335/2008

**State
Vs.
Raju Bhika Gehlot**

ORDER BELOW EXH. 1

1. The police station Mahatma Phule Chowk, Kalyan has filed this final report against the accused for the offences punishable under section 420 r/w. 34 of Indian Penal Code.
2. Perused the proceeding. The present case is 18 years old. The accused is absent since long. Many times Non-bailable Warrant was issued against the accused, but accused could not be brought before the court. Therefore, proclamation u/s. 82 of Code of Criminal Procedure was issued against him. However, the accused failed to appear.
3. Thereafter, summons are issued to the witnesses for recording evidence under Section 299 of Code of Criminal Procedure. But the prosecution failed to secure the presence of any single witness.
4. Heard Ld. A.P.P. Perused the First Information Report. It is alleged by the prosecution that the accused have committed an offences punishable under section 420 r/w. 34 of Indian Penal Code. The prosecution failed to secure the presence of witnesses. Therefore, the involvement of the present accused in the present crime is not disclosed in absence of evidence. Therefore, I am of the opinion that upon consideration of the final report and

documents attached with the final report u/s. 173 of Cr.P.C. the charges against the accused is groundless. Therefore, no purpose will be served keeping the case pending. Hence, I proceed to pass the following order -

ORDER

1. The accused **Raju Bhika Gehlot** is hereby discharged vide Section 239 of Cr.P.C. for the offences punishable under section 420 r/w. 34 of Indian Penal Code.
2. The proceeding is closed.

Date : 29/07/2026

(Aarti M. Shinde)
Judicial Magistrate First Class,
1st Court, Kalyan.