

**ORDER BELOW EXH. 1**

Today, this matter is kept in a special drive. In the present matter, accused is prosecuted for the commission of offence punishable u/s. 65(R) of the Maharashtra Prohibition Act.

2. Perused record. On perusal of record it appears that, matter is adjourned for appearance of accused since filling of charge sheet. Record shows that, prosecution has not taken proper and effective steps to secure presence of accused. Also C.A. report is yet not filed. In absence of C.A. report it cannot be said that the accused was possessing the contraband. In that circumstances, no purpose would be served by keeping the case pending without C.A. report. In such circumstances, it will be a futile exercise to keep this matter further pending for appearance of the accused. This is a fit case in which, the provision contained u/s. 258 of the Cr.P.C. can be used. Hence, the following order -

**ORDER**

- (1) The proceeding is stopped u/s. 258 of the Code of Criminal Procedure, 1973.
- (2) The accused is discharged.
- (3) The seized muddemal be sent to Superintendent, Excise Department, Beed for disposal as per rules.

Date : 27/09/2024.  
Place : Ashti.

( **P.G.Inamdar** )  
Judicial Magistrate F.C.,  
Ashti, Dist.Beed.

**CERTIFICATE**

This is to certify that the Presiding Judge has himself typed the Judgment / Order with the help of concern bench clerk and contents of this copy are correct as per original Judgment / Order. I have duly examined and found to be correct as per the original. The Judgment / Order is uploaded by me after taking it in pen drive as per office order of Hon'ble District & Sessions Court, Beed bearing No./Jud/638/2022, dated 19/09/2022.

**Sd/-**

Jalindar B. Pokale,  
(Stenographer Grade-III)