

MHNSO30013842022

ORDER BELOW EXH. 1 IN S.C.C. NO.821/2022

(State Vs. Nilesh Jadhav)

1. The accused in this case is prosecuted for the offence punishable under Section 65(e) of the Maharashtra Prohibition Act, 1949 (Amended Act of 2005).
2. In this case State Excise Department, Nashik filed charge-sheet before the Court on 14/02/2022. Inspite of issuance of B.W. and N. B. W., the prosecution has failed to secure presence of the accused till this date and there appears no reasonable prospect of the prosecution securing his presence in near future.
3. State Excise Department, Nashik have not filed C.A. Report alongwith charge-sheet or later till date. In these circumstances, the accused by all means is likely to be acquitted. Hence, for want of securing presence of the accused and want of CA report, I have arrived at the conclusion that the case needs to be stopped vide Section 258 of the Criminal Procedure Code. Hence, I pass the following order :-

ORDER

1. The proceeding of this case is stopped under Section 258 of Cr.P.C.
2. The accused is hereby discharged of the offences punishable under Section 65(e) of the Maharashtra Prohibition Act.
3. Bail bonds of accused, if any, stand cancelled.

4. Muddemal liquor be forwarded to Superintendent, State Excise Department, Nashik for disposal as per rules.
5. The case is disposed of accordingly.

Date : 14.08.2026
Nashik

(S. K. Devkar)
Judicial Magistrate, F.C.,
Court No.2 Nashik