

MHLA030001022025



SCC NO.87/2025

Santosh Keshavrao Shelge

Vs

Vinod Chandrakant Kasture

ORDER BELOW EXH.01

The perusal of record reveals that the case is pending since long for steps by complainant. The order was passed below Exh.01 on 05/06/2026 for keeping the case for dismissal. Today called out repeatedly, till 05:45 p.m. complainant is absent. No step is taken on behalf of complainant. In this regard, I am guided by Section 256 of Cr.P.Code, which provides that if the summons has been issued on complaint, and on the date appointed for the appearance of accused, or any date subsequent thereto, to which the hearing may be adjourned, the complainant does not appear, the Magistrate shall notwithstanding anything herein before contained, acquit the accused, unless for some reason he thinks it proper to adjourn the hearing of the case to some other day. The proviso clause of this section says that if the complainant is represented by a pleader, Court may dispense with the attendance of complainant and proceed with the case. Considering the continuous absence of complainant and no step on his behalf, it appears that the complainant has lost interest to proceed with the case. No purpose will be served by keeping the matter pending on file. Hence, the case is dismissed for non-appearance of complainant. Accused is acquitted of the offence Pun.U/s.138 of Negotiable Instrument Act, 1881 vide Section 256 of Cr.P.Code.

Place: Latur

Date : 06/08/2026.

(A. K. Wagh)

**5th Judicial Magistrate First Class,
Latur.**