

ORDER BELOW EXH -1
Refnce : Special drive dated 24.09.2021

- 1) Hon'ble High Court letter O.W.No. B(Gen)-/1001/2021/1114 dated 31.08.2021.
- 2) District Court, O.W. No.1474/DLSA/Nagpur/2021 dt.22.09.2021

The accused is absent. Charge sheet has been filed against accused for the offence punishable under the provisions of Bombay Prohibition Act wherein C.A. report is essential. However, the prosecution had failed to file C. A. report. In absence of C. A. report it would be a futile effort and no purpose would be served by proceeding with the case further. Hence, looking to this fact and circumstances, I pass the following order.

Order

- 1) The proceeding be stopped and accused be discharged under section 65 of the Bombay Prohibition Act vide section 258 of the Code of Criminal Procedure.
- 2) The property if any be sent to Excise Department for its disposal in accordance with law.
- 3) The vehicle, if any, be released in favour of its owner and if not claimed it be disposed of as per rules, after the appeal period is over.
- 4) The indemnity bond in respect of seized vehicle, if any be canceled after the appeal period is over.
- 5) His bail/personal bond stands canceled.

Sd/-
(Ms. G. N. Bagrodia)
Judicial Magistrate First Class,
Court No.10, Nagpur.
Dt.24.09.2021.