

SCC No. 7868/2020
State Vs. M/s. Simplex Infrastructure

ORDER BELOW EXH. 1
(Dt. 08.12.2021)

The case is taken on today's board. The Hon'ble High Court of Bombay by email no. B(Gen)-1001/2021/1611 dated 26-11-2021 and Hon'ble District Court Nagpur vide letter O.W. No. 943/TW,JB/2021, dated 2nd December, 2021 directed to under take Special Drive on 8th, 9th and 10th December, 2021 (working Wednesday, Thursday and Friday) to dispose of cases under section 256 and 258 of Code of Criminal Procedure. Hence, the instant matter is fixed today for appropriate order.

2) The instant case is instituted on the complaint filed by the Labour Enforcement Officer, Nagpur. Thus, the complaint is a private complaint. Therefore it is for the complaint to take appropriate steps to secure the presence of the accused. However, since inception, the matter is pending for the hearing on the application for condonation of delay. The complainant for the prosecution is not taking any appropriate steps in the matter. In the circumstance, it is quite difficult to proceed with the matter. Hence, this is a fit case to take resort of Section 256 of CR.P.C.

3) For the foregoing reasons, the proceeding of the instant case is dismissed vide section 256 (1) of Cr.P.C. The accused stands acquitted of the offence punishable Under Section 24 of the Contract Labour (Regulation and Abolition Act), 1970.

Dt. 08-12-2021

Sd/-
(U. B. Pethe)
Judicial Magistrate, First Class
(Court No. 8), Nagpur.

CERTIFICATE

I affirm that the contents of this P.D.F. file of Order are word to word as per original Order.

Name of Stenographer : S. K. Awandkar