

MHRG100003082006

**ORDER BELOW EXH. 1 IN R.C.C. No. 13/2006**

Perused the record. The charge-sheet is filed against the accused for the offences punishable under sections 408, 467, 471 of the Indian Penal Code, 1860 (for short 'IPC'). The accused is absconding since long. The charge is not framed against the accused. The non-bailable warrants issued against the accused was returned unserved and as such the presence of the accused could not be secured. Therefore, the witness summons were issued to the all prosecution witnesses for recording their evidence under section 299 of the Code of Criminal Procedure (for short 'Cr.P.C.'). Four witnesses are present. My Ld. Predecessor has recorded their evidences under section 299 of the Cr. P. C. Witness no. 1 and witness no. 4 are panch witnesses of seizure panchanama. They are not supporting to the case of prosecution. Witness no. 2 Jaganath who received the information about commission of crime and the reported to the superior officer Rohidas. He also deposed that, police had not inquired with him. Evidence of Rohidas has not been recorded as he is not traceable. Witness no. 3 Vitthal deposed that, accused deducted income tax from his salary, but same was not deposited with income tax at the end of year. FIR was lodged by Mr. Sonawane, who also remains absent. As per witness summons & warrant reports and remaining all prosecution witnesses including the informant are not traceable.

The case is more than 20 years old and lingering without any progress. There is no possibility that the accused and the witness will found in future. Accordingly, no incriminating evidence against the accused is come on record, to keep the case pending for more period. Available evidence is insufficient. In such circumstances, it is not just and proper to keep this case

pending for an indefinite period without any progress at the cost of public. Therefore, there is no alternative except to discharge the accused. Hence, the accused is required to be discharged. In the result, following order is passed.

: ORDER :

1. The accused is discharged for the offences punishable under section 408, 467, 471 of the Indian Penal Code, 1860.
2. Bail bonds stand cancelled, if any.
3. The standing warrants issued against accused stand cancelled.
4. Seized muddemal more specifically described in charge-sheet being worthless and useless, be destroyed, after appeal is over.

(Pronounced in Open Court)

Mahad

(U. M. Jadhav)

Dated : 27/07/2026

2nd Jt. Civil Judge J.D. and J.M.F.C.
Mahad, Dist. Raigad.

: CERTIFICATE :

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

Name of Court	:- Mr. Uday Mahadev Jadhav, 2 nd Jt. Civil Judge (J.D.) and Judicial Magistrate First Class, Mahad, Dist. Raigad.
Name of Stenographer	:- Mr. B. T. Deshmukh
Date of decision / typed	:- 27/07/2026
Judgment/order signed by the P.O. on	:- 27/07/2026
Judgment/order uploaded on	:- 27/07/2026