

**IN THE COURT OF METROPOLITAN MAGISTRATE
36th COURT, MUMBAI CENTRAL RAILWAY, MUMBAI.**

C. C. No:- 24/PS/2024.

Dated :- 11.03.2026.

ORDER BELOW EXH.-01.

This is a summons case instituted otherwise than upon a complaint for commission of an offence punishable u/s 65 (a)(e) of the Maharashtra Prohibition Act.

2. Perused Roznama.

3 I have gone through the Record and proceeding of the case. It appears that inspite of sufficient opportunities the prosecution has failed to secure the presence of the accused despite of issuing N.B.W. The accused has remained continuously absent. The case is of the year 2024, which is almost 2 years old. There is no possibility of securing the presence of the accused. Record of the case also shows that several attempts were made to secure the presence of the accused. However, the exercise has turned futile. There is no progress in the case. There is no possibility of securing the presence of either accused or witnesses in near future. No purpose is going to be served by keeping this file open for an indefinite period. Under aforesaid circumstances, considering the nature of the offence and stage of proceeding, it appears that it is a fit case to exercise the power of section 258 of the Cr. P. C. Hence, for the aforesaid reasons and discussion I am inclined to stop the proceedings of the present case under section 258 of the Code of Criminal Procedure. In result thereof, I pass the following order :-

ORDER

1. Accused is released amounting to his discharge from the offence punishable u/s 65 (a) (e) of the Maharashtra Prohibition Act, vide section 258 of the Code of Criminal Procedure.
2. The bail bonds including cash bail deposited by the accused have already been forfeited.
3. The seized liquor bottles have already been sent to the State Excise Department, Mumbai for its disposal according to law.

Whereas, black brown coloured Tourist sakbag being worthless be destroyed.

4. Proceeding of this case is stopped accordingly.

sd/-

(Tushar B. Waje)

Metropolitan Magistrate,

Date :- 11.03.2026.
Alam

36th Court, Mumbai Central Railway, Mumbai.