

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3684 OF 2014

Zuber Tajjamul Hussain Sk. & Ors. ..Petitioners

v/s.

The Special Executive Magistrate & Ors. ..Respondents

Ms. Nazia Siddiqui i/b. Sheikh Mohammed Imran for the Petitioner.
Mrs.S.V.Sonawane, APP for the Respondent/State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : FEBRUARY 26, 2015.**

P.C.

1. Heard. By this petition the petitioner is challenging the proceeding initiated under Section 107 of Cr.PC.
2. The petitioner was served with the notice under Section 107 on 14.8.2014. The petitioner asserts and the learned APP does not dispute that as of today the inquiry initiated against the petitioner has not been completed. Under the provisions of Section 116 sub section 6, it is obligatory for the Special Executive Magistrate to

complete the enquiry within the period of six months from the date of its commencement and after expiry of the said period the enquiry stands terminated.

3. Since admittedly period of six months is over, the proceeding automatically stands terminated.

4. Writ Petition is accordingly allowed in terms of prayer clause (a).

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)