

FARAD CONTINUATION SHEET

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

Cri. Application (apl) No. 549 of 2014

Mohanlal Walji Patel

v.

Sanjay Ramchandraj Awachat

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. M.A. Vishwarupe Advocate for applicant.
Mr. A.J. Thakkar Advocate for N.A.

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Coram : S.B. Shukre, J.

Date : 20th January, 2015.

After hearing for some time, learned counsel for the applicant seeks permission of this Court to withdraw the application with a direction to the learned Magistrate that the enquiry under Section 202 of Code of Criminal Procedure be completed within a stipulated period of time.

So far as withdrawal of the application is concerned, there is no objection raised by the non-applicant. However, learned counsel for the non-applicant submits that there cannot be any time period within which the Magistrate could be ordered to complete the enquiry under Section 202 of Code of Criminal Procedure as there would be several factors which

cannot be anticipated now, that might come in the way in disposing of the matter within the time fixed by this Court.

Learned counsel for the non-applicant is right in the submission as there could be several contingencies not anticipated by this Court which might cause delay in completion of enquiry. However, at the same time, the anxiety of the complainant to see that the matter reaches the logical conclusion also needs to be taken into consideration.

Permission to withdraw the application is granted and the learned Magistrate is requested to complete the enquiry under Section 202 of Code of Criminal Procedure as early as possible, preferably within a period of six months from the date of the order.

Judge

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