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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1259 of 2013

Jitesh Maniar

.... Petitioner

V/s.

Union of India and ors

.... Respondents

Mr. Ketan Dabke, for the petitioner.

Mrs. A. S. Pai, APP for the Respondent.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 16TH NOVEMBER, 2016.

P.C. :

1. This petition is filed under Article 226 of the Constitution of India, challenging the legality and validity of the proceeding in Chapter Case No.26 of 2012-13. The petitioner is also seeking relief of awarding compensation of Rs.1,00,000/- or such amount as this Court deem fit and proper.

2. Under Section 116(6) of the Code of Criminal Procedure, the inquiry under this section shall be completed within a period of six months from the date of its commencement, and if such inquiry is not so completed, the proceeding under this Chapter shall, on the expiry of the said period, stand terminated unless, for special reasons to be recorded in

writing by the Magistrate otherwise directs:

3. The period of six months from the initiation of proceeding is admittedly over. Learned counsel for the petitioner could not bring to the notice of this Court any direction by Magistrate extending the said period of six months.

4. In this view of the matter, Chapter Proceeding stand automatically terminated. So far as that relief, the petition renders infructuous.

5. So far as relief of compensation is concerned, we are not inclined to entertain the same in exercise of powers under Article 226 of the Constitution of India.

6. Needless to state that the petitioner is always at liberty to approach appropriate authority.

7. Subject to above, petition is dismissed.

[DR. SHALINI PHANSALKAR JOSHI, J.]

[RANJIT MORE, J.]