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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3961 OF 2015

Vaibhav Ramkrishna Mahale

..Petitioner.

V/s.

The State of Maharashtra and Anr.

..Respondents.

Mr.Niranjan Mundargi for the petitioner.

Mrs.M.M. Deshmukh, APP for respondent-State.

**CORAM : NARESH H. PATIL AND
A.M.BADAR, JJ.**

DATED : 30TH MARCH, 2016

P.C. :-

1. The petitioner challenges the show cause notice issued on 29th July, 2015 under section 111 of the Code of Criminal Procedure, 1973 addressed to the petitioner (Exhibit-D to the petitioner). The petitioner filed reply and order was passed. Thereafter, Special Executive Magistrate (Dindoshi Region), Mumbai initiated Chapter Proceedings No.78/2015.

2. We have perused the order passed below Exhibit-D. Period of 6 months is already over. Even otherwise, it seems that due to dispute between two individuals, offence came to

be registered and simultaneously Chapter Proceedings were initiated. This is not a fit case to initiate Chapter Proceedings. The petition is accordingly allowed.

4. The Chapter Case No.78/2015 in C.C. No.182/2015 before the Special Executive Magistrate and Assistant Commissioner of Police, Dindoshi Division, Mumbai and the impugned order dated 24th August, 2015 are quashed and set aside.

(A.M. BADAR, J.)

(NARESH H. PATIL, J.)