

HIGH COURT OF GUJARAT**STATE OF GUJARAT***Versus***GUJARAT STATE POLICE HOUSING CORPORATION****Date of Decision:** 31 August 2007**Citation:** 2007 LawSuit(Guj) 2191**Hon'ble Judges:** [D H Waghela](#)**Case Type:** Criminal Miscellaneous Applicatio**Case No:** 3609 of 1997, 8655 of 2007**Subject:** Criminal**Acts Referred:**[Indian Penal Code, 1860 Sec 308, Sec 34, Sec 408, Sec 420, Sec 120B, Sec 406](#)[Code of Criminal Procedure, 1973 Sec 197](#)[Prevention of Corruption Act, 1988 Sec 13](#)**Final Decision:** Application allowed**Advocates:** [Dipen Desai & Co](#), [Nanavati Associates](#)

[1] By the present application, the State has, through Dy.S.P., C.I.D. (Crime), Rajkot, sought extension of time-limit prescribed in the order dated 25.04.2007 of this Court in Criminal Misc. Application No.3609 of 1997 for submitting report of investigation. It was submitted that the investigation could not be completed by the prescribed date of 31.07.2007 and hence, further time was required for completing the investigation as also for obtaining sanction under the provisions of Section 197 of the Code of Criminal Procedure for prosecution of the accused persons, some of whom were Government servants. During the pendency of the present application, it was stated that chargesheet disclosing offences punishable under Sections 120-B, 34, 308, 406, 408 and 420 of the Indian Penal Code and for the offence punishable under Section 13 of the Prevention of Corruption Act, 1988 was proposed to be filed. However, several certificates of sample tested by the experts of L.D. Engineering College were found to be missing on the record of investigation and order dated 13.08.2007 was made in that regard and the date fixed for submitting report of investigation was extended till further orders.

[2] Now, the investigation is stated to have been completed, chargesheet is stated to have been submitted on 29.08.2007 and a statement is made on behalf of the State that prosecution of the accused persons shall be properly pursued by the investigating agency and there shall be no interference from any higher authorities with the proper prosecution of the criminal case which may be tried and disposed as expeditiously as practicable in accordance with law. Therefore, the relief of extension of time is already granted by the aforesaid earlier interim order and no further extension is required. Accordingly, the present application is disposed as partly allowed and Rule is made absolute accordingly whereby, the prescribed time-limit of 31.07.2007 stands extended till filing of the chargesheet. No order as to costs.

