

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 48 OF 2016

MASSILLON DIAS.

... Petitioner

Versus

THE STATE OF GOA, THR. THE CHIEF
SECRETARY AND 4 ORS.,

... Respondents

Mr. Abhijit Chakraborty, Advocate with Ms. Anee Ray, Advocate
and Mr. Rishikesh P. Gawthankar, Advocate for the Petitioner.
Mr. S. R. Rivankar, Public Prosecutor for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 29th March, 2016

P.C.:

By this petition, the petitioner is seeking direction in the nature of a Writ of Mandamus, directing the respondent-Police authorities to register an FIR on the basis of a complaint dated 01.02.2016 lodged by the petitioner to investigate in the matter.

2. Heard learned Counsel for the petitioner and the learned Public Prosecutor for the respondent/State.

3. The learned Public Prosecutor submits that the dispute is predominantly of a civil nature.

4. After hearing the learned Counsel for the petitioner for some time, learned Counsel for the petitioner, on instructions from the

petitioner who is present before the Court, seeks permission to withdraw the criminal writ petition with liberty to approach the learned Magistrate u/s. 156(3) of the Criminal Procedure Code.

5. In such circumstances, the criminal writ petition is disposed of as withdrawn with liberty as prayed for. However, it is made clear that this Court has not expressed any opinion on the merits of the controversy and the learned Magistrate shall decide any such complaint, if filed, on its own merits.

C. V. BHADANG, J.

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