

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 77 OF 2015

CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH (CBI, ACB).

... Petitioner

Versus

SH.DAVID DRIHAM.

... Respondent

Mr. Joseph Vaz, Special Public Prosecutor for the applicant.
Mr. C. Padgaonkar, Advocate for the respondent.

Coram:- S. B. SHUKRE, J.

Date:- 24th February, 2016

P.C.

Heard.

2. This Criminal Revision Application makes following prayers :

"(a) The petitioner humbly pray that the impugned order dated 10/03/2015 be quashed and set aside and the Special Judge NDPS Court, Mapusa be directed to consider the whole case in framing the charge in case no.32/10 after taking into consideration of Supplementary Charge Sheet in RC 3(A)/2011/CBI/ACB/Goa.

(b) That the proceeding in Charge Sheet in case No.32/10 by Spl. Judge be stayed pending the hearing of the Application on merits."

3. By an order dated 02/02/2016 passed below the application at Exhibit D-35 filed in Special Criminal Case No.32/2010 by a

revision applicant, following directions have been given :

"(i) The supplementary charge-sheet filed by the CBI before this Court on 11/09/2014, is ordered to be treated as part of the records of Special Criminal Case No.32/2010.

(ii) The CBI is treated as the complainant before the Court. The accused Shri David Driham will be accused no.1 and the other seven accused will be accused no.2 to 8 respectively.

(iii) The matter is posted for fresh arguments before the charge, in respect of all the 8 accused on the basis of the original charge-sheet and the supplementary charge-sheet and the documents submitted therewith.

(iv) The earlier order of this Court dated 10/03/2015 for framing the charge against accused no.1, Shri David Driham shall stand altered accordingly."

4. It is clear that by the order passed during the pendency of this Criminal Revision Application by the learned Special Judge, NDPS Court, Mapusa, prayers made in this application have worked themselves out. The petition is, therefore, disposed of as having served the purpose.

S. B. SHUKRE, J.

SMA