

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (MAIN) NO. 250 OF 2015

MITTU M. MUJAWAR.

... Applicant

Versus

THE STATE OF GOA, THROUGH POLICE
INSPECTOR, MAPUSA POLICE STATION.

... Respondent

Mr. Ryan Da Piedade Menezes, Advocate for the Appellant.
Mr. Mahesh Amonkar Addl. Public Prosecutor for Respondent.

Coram:- S. B. SHUKRE, J.

Date:- 5th February, 2016

P.C.:

Heard Mr. Menezes, the learned counsel for the appellant and Mr. M. Amonkar, learned Addl. Public Prosecutor fore the Respondent/State.

2. Roznama dated 11/5/2015 shows that on that date, notice had not been served upon the complainant. It is obvious that the impugned order regarding acceptance of "C" Summary Report has been passed without hearing the complainant. Such an order cannot be sustained in law.

3. The order dated 11/5/2015 impugned herein is quashed and set aside and the matter is remanded back to the Children's Court for considering the same afresh in accordance with law. Opportunity of being heard shall be given to the complainant. Copy of the "C"

Summary Report shall also be made available to the complainant and thereafter the complainant shall be heard.

4. Parties to appear before the Children's Court on 16/2/2016 at 10.a.m.

5. Application is disposed of.

S. B. SHUKRE, J.

ap/-