

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION (REVIEW) NO. 31 OF 2016

IN

CRIMINAL WRIT PETITION NO. 129 OF 2016

MR.REGGIE FERNANDES.

... Applicant

Versus

THE POLICE INSPECTOR, MAPUSA
POLICE STATION, MAPUSA AND 3 ORS.,

... Respondents

Mr. Nitin Sardesai, Senior Advocate with Ms. Gautami Amey Kakodkar, Advocate for the applicant.

Mr. Pravin Faldesai, Additional Public Prosecutor for the respondents No.1 and 2.

Mr. Aires Rodrigues, Advocate for the respondent No.3.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 27th October, 2016

P.C.:

Heard Mr. Nitin Sardesai, learned Senior Advocate with Ms. Gautami Amey Kakodkar, Advocate appearing for the applicant, Mr. Pravin Faldesai, learned Additional Public Prosecutor appearing for the respondents No.1 and 2 and Mr. Aires Rodrigues, learned Advocate appearing for the respondent No.3.

2. The above review petition is filed by the applicant for review of the Judgment passed by this Court dated 27/09/2016 in Criminal Writ Petition No.129/2016.

3. During the course of hearing of the above review petition, when a grievance was raised by Mr. Nitin Sardessai, learned Counsel appearing for the applicant that in view of the said Judgement the learned Magistrate may not proceed to consider the preliminary objections raised by the applicant-petitioner in the proceedings on maintainability pending before the learned Magistrate, Mr. Faldessai, learned Addl. Public Prosecutor submitted that all such applications and defences raised by the petitioner would be examined by the learned Magistrate in accordance with law.

4. In view of the said statement made by the learned Additional Public Prosecutor, Ms. Kakodkar, learned Counsel appearing for the applicant seeks leave to withdraw the above review petition.

5. In view of the said statement, the petition stands dismissed as withdrawn. Needless to say, all contentions of both the parties are left open. Certified copy expedited.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

ssm.