

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 212 OF 2017

JANICE SOCCORIN LOBO.,

... Petitioner

Versus

STATE OF GOA, THR. CHIEF SECRETARY
AND 2 ORS.,

... Respondents

Shri Wilbur Menezes, Advocate for the Petitioner.
Shri S. R. Rivankar, Public Prosecutor for the
State-Respondents.

Coram:- C. V. BHADANG &
NUTAN D. SARDESSAI, JJ.

Date:- 21st December 2017

P.C.

Heard the learned Counsel for the Petitioner for sometime.
The main prayer in the Petition is about a direction to the 2nd Respondent to register an FIR based on the complaint filed by the Petitioner on 22.03.2017. There are some other prayers also made about entrusting the investigation to an Officer other than one Mr Nolasco Raposo and for taking action against him for dereliction of duty.

2. At the outset, it may be noted that the Supreme Court in the case of Aleque Padamsee & Ors vs Union of India & Ors.,[(2007) 6 SCC 171] has, inter alia, held that in such cases, the appropriate remedy of the Complainant is to approach the

Magistrate under Section 156(3) of the Code of Criminal Procedure and normally a writ cannot be issued directing the Investigating Agency to register an FIR.

3. In that view of the matter, we decline to entertain the Petition which is accordingly dismissed.

NUTAN D. SARDESSAI, J.

C. V. BHADANG, J.

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