

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 1 OF 2018

GAYATRI FERNANDES.,

... Petitioner

Versus

**STATE OF GOA, THR. SECRETARY
(HOME), GOVT. OF GOA AND ANR.,**

... Respondents

Mr. Ryan Da Piedade Menezes, Advocate for the Petitioner.

Mr. S.R. Rivankar, Public prosecutor for the Respondents.

**Coram:- SHANTANU S. KEMKAR &
NUTAN D. SARDESSAI, JJ.**

Date:- 5th January 2018

P.C.:

Through this petition filed under Article 226 of the Constitution of India the Petitioner has prayed for following relief:

"(i) That this Hon. Court be pleased to issue any appropriate writ, order and/or direction, to direct that the period of the release of Ryan Fernandes (C.P.No.09/07) stands extended by a period of 60 days from the date of this criminal writ petition, to enable him complete the course of medical investigation and treatment with Senior Surgeon and Infertility Specialist, Dr. Milind Colvalkar of the fertility clinic- 'IVF ANGELS GOA Centre'.

OR

In the alternate, this Hon. Court be pleased to issue any appropriate writ, order and/or direction, to direct the Respondents to decide the application dated 03/01/2018 of the Petitioner, for extension of the period of the release of Ryan Fernandes on parole, expeditiously, and in any event, on or before 10/01/2018; and,

(ii) For such other and/ or further reliefs that this Hon. Court may see it fit to grant in the facts and circumstances of the case and the interest of justice."

However, during the course of hearing the learned Counsel for the Petitioner restricted his submissions in regard to the alternative prayer as extracted above.

2. Having regard to the aforesaid limited prayer with the consent of the parties we dispose of this petition by directing Respondent No.2 to consider the Petitioner's application dated 3 January 2018 and to take appropriate decision on it, in accordance with law, as expeditiously as possible but in any case not later than 11 January 2018.

3. With the aforesaid directions, the Petition is disposed of.

NUTAN D. SARDESSAI, J.

SHANTANU S. KEMKAR, J.

mv