

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.62 OF 2018

Felix Fernandes

... Petitioner

Versus

The Director of Education,
Porvorim & Ors.

... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioner.

Mr. S. R. Rivankar, Public Prosecutor for respondent nos.1 to 3.

Mr. R. Kantak, Advocate for respondent no.4.

***Coram : R. M. Borde &
Prithviraj K. Chavan, JJ.***

Date : 4th December 2018.

P.C. :

The status report of the investigation is presented on behalf of the State/Investigating Agency wherein it has been stated in paragraphs (vii) and (viii) thus:

“vii) It is submitted that, the Your Hon'ble Court had directed to once again make efforts to record the statement of the witness students under the provisions of section 164 of Cr. P.C. Therefore, once again the Ld.

JMFC, Margao was requested to record the statement of the 3 witness students under section 164 of Cr.P.C. In accordance to the letter made by the investigation officer, the Ld. JMFC, Margao issued notices to the concerned however, they did not appear for recording but submitted letters to the Ld. “F” Court, Margao that they do not want to record the statements, as they are not aware of the facts of the case. Hence, the statements could not be recorded.

viii) It is submitted that, the investigation of the case is completed and the charge sheet remains to be filed in the matter, for which extended time is required of 10 days.”

2. It is assured that the charge-sheet would be presented within 10 days from today. The statement made is accepted. It is open for the petitioner to take up the appropriate grievance in accordance with the Criminal Procedure Code before the learned Magistrate.

3. In view of the above, the writ petition stands disposed of.

Prithviraj K. Chavan , J.

R. M. Borde , J.

*at**