

***IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.91 OF 2018***

Santosh Rivankar.

..... Petitioner.

Versus

State, through Police Inspector,
Porvorim and another.

..... Respondents.

Mr. Anthony Joe D'Silva, Advocate for the Petitioner.

Mr. S. R. Rivankar, Public Prosecutor for the State-Respondent No.1.

Mr. Amay Phadte, Advocate for Respondent No.2.

Coram : M. S. Sonak, J.

Date : 11 May 2018.

P.C. :

Heard Mr. Anthony D'Silva, learned Counsel for the Petitioner, Mr. S. R. Rivankar, learned Public Prosecutor for the State and Mr. Amey Phadte, learned Counsel for Respondent No.2.

2. The learned Counsel for the Petitioner, as well as Respondent No.2, submit that the offences for which the Petitioner and his brother have been charged, are compoundable offences. The learned Public Prosecutor affirms this position.

3. The learned Counsel for the Petitioner and Respondent No.2 state that the parties seek to bury the hatchet and compound the offences. The parties, i.e. Santosh Rivankar and Rajendra Halarnkar are present in the Court and they also state that they wish to settle this matter.

4. The learned Counsel for the Petitioner and Respondent No.2 hand in the Consent Terms, which are taken on record and, marked "X" for the purpose of identification. The Consent Terms have been signed by the Petitioner, as well as Respondent No.2. The Consent Terms have also been signed by the Advocates for the respective parties. The Petitioner and Respondent No.2 state that they have voluntarily signed these Consent Terms and this is the basis for their settlement.

5. The Petitioner has, in furtherance of the Consent Terms, handed over the keys of the suit premises to Respondent No.2 in this Court.

6. Accordingly, leave is granted for compounding the offences against the Petitioner and his brother Sachin Rivankar. FIR No.76/2017 registered by the Porvoim Police, as well the proceedings in Criminal Case IPC No.473/S/2017/C, pending before the

Judicial Magistrate, First Class, 'C' Court, Mapusa are, hereby, quashed.

7. Similarly, the proceedings bearing No. MAG/SR-145/15/2017/1043, pending before the Sub-Divisional Officer, Mapusa against the Petitioner, which also arise from the same incident are, hereby, quashed.

8. In the matter of this nature, normally, the Petitioner and Respondent No.2 should have been required to pay costs to the Legal Services Authority. However, since the parties who are present in person have assured this Court that they have settled their disputes in amicable manner, no costs are imposed.

9. All concerned to act on the basis of the authenticated copy of this order.

M.S. Sonak, J.