

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 47 OF 2016

SARFARAJ KITTUR.,

... Petitioner

Versus

**STATE OF GOA, THR. POLICE
INSPECTOR, CALANGUTE POLICE
STATION, CALANGUTE AND 4 ORS.,**

... Respondents

Shri Pranay A Kamat, Advocate for the petitionr.

Shri Mahesh Amonkar, Additional Public Prosecutor for the
respondent No.1.

Shri K. Sawant, Advocate for the respondent Nos.2,3 and 4.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 17th July 2018

P.C.:

On hearing the learned Advocates for sometime, i deem it appropriate in the circumstances of the case to remand the file to the learned J.M.F.C., Mapusa in Criminal Case No.70/S/2008/A.

2. In view thereof, the impugned judgement passed by the J.M.F.C., Mapusa dated 04/11/2011 and that passed by the Additional Sessions Judge on 19/05/2016 confirming the same are quashed and set aside. The learned Additional Public Prosecutor to endeavour to see that the complainant/informant is examined in this case before the learned J.M.F.C., Mapusa who shall proceed to deal with the matter in accordance with law.

3. In the circumstances, the revision application stands disposed off.
4. The parties are directed to appear before the learned J.M.F.C. on 01/08/2018 at 14.30hours.

NUTAN D. SARDESSAI, J.

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