

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 74 OF 2017

**JANUARIO MIRANDA, PRESENTLY LODGED
IN JUDICIAL LOCK UP AT CENTRAL
JAIL COLVALE.,**

... Petitioner

Versus

**STATE OF GOA, AS REP. BY THE
OFFICER INCHARGE, MAPUSA POLICE
STATION, MAPUSA AND ANR.,**

... Respondents

**Shri M. Amonkar, Additional Public Prosecutor for the
respondents.**

Coram:- C. V. BHADANG, J.

Date:- 28th February 2018

P.C.

None for the petitioner even on the second call. The record shows that there was no appearance on behalf of the petitioner on previous two dates i.e. on 23/01/2018 and 21/02/2018. Considering the fact that this is a Criminal Revision Application, I have heard Shri Amonkar, the learned Additional Public Prosecutor for the respondents and perused record.

2. The petitioner is challenging the order dated 18/09/2017 passed by the learned Additional Sessions Judge in Sessions Case No.36/2017, thereby framing charge against the petitioner for the offences punishable under Section 332, 224 and 307 of

Indian Penal Code (IPC). A perusal of the copy of the chargesheet shows that there is statement of the complainant Mr. Elidio Fernandes, who is a Police Sub-Inspector attached to Mapusa Police Station. The incident is alleged to have happened on 01/03/2017 at about 18.30 hours at Survey Wado, Guirim, Bardez, Goa, wherein the petitioner is alleged to have made an attempt to assault the complainant on his stomach by means of knife. The statement further discloses that when the complainant tried to obstruct the attempt, sustained serious injuries to his left hand thumb. There are also statements of the witnesses, which includes the Police Officers, which prima facie show that the petitioner had attempted to stab the complainant on his stomach. At this stage, the evidence cannot be appreciated in details. On the basis of the statements of various witnesses, clearly a case for framing of charge under Sections 332, 224 and 307 of IPC is made out.

3. The Criminal Revision Application is without any merit and is dismissed in limine.

C. V. BHADANG, J.

SMA