

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.144 OF 2019

Milind Sagun Naik.		Petitioner.
Versus		
State, through Police Inspector, Mormugao Police Station & ors.		Respondents.

Mr. Parikshit Sawant, Advocate for the Petitioner.

Mr. Pravin Faldessai, Additional Public Prosecutor for the Respondent-State.

***Coram : M.S. Sonak &
Nutan D. Sardesai, JJ.***

Date : 23rd July, 2019.

P.C.:-

Heard Mr. P. Sawant. learned Counsel for the Petitioner and Mr. Pravin Faldessai, learned Additional Public Prosecutor for the State.

2. Mr. Faldessai, learned Addl. Public Prosecutor states that in this matter, upon conclusion of the investigations, the State has already filed A Summary Report in terms of Section 173 of Cr.P.C. before the learned Judicial Magistrate, First Class (JMFC), Vasco.

3. This is a petition which seeks to quash the FIR No.9/2017 dated 23.1.2017. According to us, since A Summary Report has

already been filed before the learned JMFC, there is no necessity to make any further order in this Petition. We have no doubt that the learned JMFC will afford an opportunity of hearing to the Petitioner, as well as the complainants and make a suitable order on the A Summary Report filed before him, within some reasonable period.

4. Though we are not entertaining this Petition, we make it clear that in case the Petitioner is still aggrieved after the decision of the learned JMFC on the A Summary Report, the Petitioner will have liberty to reinstitute a petition seeking quashing of the FIR. Accordingly, all contentions of all parties in this regard, are specifically kept open.

5. The Petition is disposed of in the aforesaid terms. There shall be no order as to costs.

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

Nutan D. Sardesai, J.

M.S. Sonak, J.