

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.213 OF 2019
IN
CRIMINAL MISC. APPLICATION (MAIN) NO.180 OF 2016

State

Through the Inspector

.... Applicant

V/s

M/s. Bata India Ltd. & Ors.

.... Respondents

Shri S.R. Rivankar, Public Prosecutor for the Applicant.

Shri A. Carvalho, Advocate for Respondents.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 26th August, 2019

P.C.:

This is an application for speaking to the minutes of the order dated 30/07/2019 passed by this Court.

2. Heard Shri Rivankar, learned Public Prosecutor for the applicant. He submits that in para 17 of the impugned order it has been mentioned that “the complaint is signed by him as a public Prosecutor” which ought to have been “memo of appeal is signed by him as a public Prosecutor”.

3. Shri A. Carvalho, the learned Counsel for the respondents has no objection in correcting the error.

4. In view of the above para 17 of the order be corrected as under:

“17. Mr. Rivankar, learned Public Prosecutor submits that appeal is maintainable under Section 378(4) of Cr.P.C. He has pointed out that though the memo of appeal is signed by him as a public Prosecutor, it is annexed with an affidavit of the complainant – Mr. Arun Panchwadkar, who has affirmed factual contents in the paragraphs of the memo of appeal to be true and correct to his personal knowledge.”

5. After making the necessary correction, the corrected copy be uploaded on CMIS. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

NH