

Santosh

***IN THE HIGH COURT OF BOMBAY AT GOA***  
***CRIMINAL WRIT PETITION NO.222 OF 2018***

Ms. Kripa Desai,  
major, w/o Keyur Desai,  
Principal, Ardee School,  
r/o. House No.193,  
Bella Vista Vaddo,  
Sangolda, Bardez, Goa.

.... Petitioner.

Versus

1. The State of Goa, through the Police  
Inspector, Saligao Police Station,  
Saligao, Bardez, Goa.

2. Mrs. Flora Bellestrain Meyers,  
major of age, r/o. Plot No.C-1,  
Casa Flodes, Guirim, Bardez, Goa.  
Panaji, Goa 403 001.

.... Respondents.

Mr. Nigel Costa Frias, Advocate for the Petitioner.

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

Mr. Wilber Menezes, Advocate for Respondent No.2.

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

***Date : 30<sup>th</sup> July, 2019.***

**ORAL JUDGMENT :** (Per M.S. SONAK, J.)

Heard learned Counsel for the parties.

2. Rule. Rule is made returnable forthwith with the consent of and at the request of the learned Counsel for the parties.

3. Considering the nature of the matter, the Petition was adjourned from time to time, because all the parties also adopted quite a reasonable and fair stance and stated that they would make all attempts to resolve the matter amongst themselves.

4. Ultimately, today, Respondent No.2, who is the original complainant, has filed an affidavit before us dated 9th July, 2019, in which, she has stated that she does not want to continue with the case.

5. Looking to the nature of the case, as well as the material before us, including, in particular, the affidavit now filed before us by Respondent No.2, we are satisfied that any further continuance of the prosecution is not warranted. Learned Public Prosecutor also agrees that in the peculiar facts and circumstances of the present case, interest of justice would be better served if the matter is given quietus by quashing the FIR bearing No.36/2017 dated 5.9.2017 and the charge-sheet registered as Special Case No.15/2018.

6. Mr. Nigel Costa Frias, learned Counsel for the Petitioner states that he is not pressing for the relief in terms of prayer clause

(A) of the Petition. Accordingly, FIR bearing No.36/2017 dated 5.9.2017 and the charge-sheet registered as Special Case No.15/2018 filed before the Children's Court is, hereby, quashed and set aside. In the peculiar facts of the present case, we make no order as to costs.

7. Rule is made absolute in terms of prayer clause (B) of the Petition. There shall be no order as to costs.

8. We appreciate the reasonable stance adopted by the learned Advocates for the parties in the present matter.

***Nutan D. Sardesai, J.***

***M.S. Sonak, J.***