

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL WRIT PETITION NO.35 OF 2020**

Mr. Sunder Pandurang Gaonkar,
S/o. Mr. Pandurang Gaonkar,
major in age, resident of House No.448,
Maulinguem, Bicholim, Goa. Petitioner.

V/s.

1. The Bicholim City Multipurpose
Co-operative Society Ltd.,
having its Head Office at Bicholim
Branch and registered under
No.RES-(c)-22/NZ/GOA,
dated 20.08.2014, having its branch
at Bicholim-Goa, and this complainant
is represented by its Chairman,
Shri. Sanjay Gajanan Parmekar, of major
age, service, Indian National
& r/o. Flat No. FF-4,
Shri. Sainath Apartment, Main Road,
Bordem, Bicholim, Goa.
2. The Public Prosecutor,
High Court of Bombay at Goa,
High Court Building, Panjim, Goa. Respondents

Mr. Mr. Rohan Desai, Advocate for the petitioner.

Mr. Pranav Vaze, Advocate for the respondent no.1.

Mr. G. Nagvenkar, Additional Public Prosecutor for the respondent no.2.

**Coram : M. S. SONAK &
SMT. M.S. JAWALKAR, JJ.**

Date : 11th February, 2020.

Oral Judgment: (Per M.S. Sonak, J.) :

Heard Mr. Rohan Desai, the learned Counsel for the petitioner, Mr. Pranav Vaze, the learned Counsel for the respondent no.1 and Mr. G. Nagvenkar, the learned Additional Public Prosecutor for the respondent no.2.

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

3. Though, in this case, the petitioner, had himself avoided arrest for a period of almost 700 days, we feel that this ought not to be a consideration for the learned Additional Sessions Judge at Mapusa, taking up the Criminal Miscellaneous Application No.16/2020 seeking condonation of delay for the institution of the appeal along with bail and disposing of the same expeditiously.

4. Mr. Vaze, the learned Counsel for the respondent no.1

states that the petitioner has already cleared the cheque amount and therefore, he has instructions to say that this petition, insofar as the issue of expedition is concerned may be allowed.

5. Accordingly, we direct the Additional Sessions Judge to dispose of the Criminal Miscellaneous Application no.16/2020 or in any case the prayer for bail made therein as expeditiously as possible in any case within a period of 48 hours from the date of which the authenticated copy of this Order is produced.

6. The Rule in this petition is made absolute in the aforesaid terms.

7. All concerned to act on the basis of an authenticated copy of the Order.

SMT. M.S. JAWALKAR, J. *M. S. SONAK, J.*
*af**