

IN THE HIGH COURT OF BOMBAY AT GOA

WPCR/34/2021

MUKUND NAIK

..... PETITIONER

VS

STATE OF GOA, THR. THE
POLICE INSPECTOR,
PERNEM, POLICE STATION,
PERNEM AND ANR

..... RESPONDENTS

WPCR/35/2021

VAMAN PARAB

..... PETITIONER

VS

STATE OF GOA, THR. THE
POLICE INSPECTOR,
PERNEM POLICE STATION,

..... RESPONDENT

Mr. Salil Saudagar, Advocate for the Petitioners in both the petitions.
Mr. Sagar Dhargalkar, Additional Public Prosecutor for the Respondent/State.
Ms. N. Shirodkar, Advocate for the Respondent no.2 in both the petitions.

**CORAM: M. S. SONAK &
SMT. M. S. JAWALKAR, JJ.**
DATE : 1st July, 2021.

P. C.:

Heard Mr. Saudagar, the learned counsel for the petitioners in these petitions. Mr. Sagar Dhargalkar, the learned Additional Public Prosecutor appears for the State and Ms. N. Shirodkar, the learned

Advocate appears for the respondent no.2-complainant in both these petitions.

2. Mr. Saudagar and Ms. Shirodkar submit that the petitioners and the respondent no.2 have amicably settled the matter amongst themselves. They point out that without there being any intention to commit any offence, some misunderstanding arose between the parties. They submit that no useful purpose will be served in proceeding with the prosecution and, therefore, the prosecution may be quashed.

3. Mr. Dhargalkar, the learned Additional Public Prosecutor submits that the matter may be decided by this Court having regard to the peculiar circumstances of the present case.

4. In such matters, the petitioners are required to pay some costs particularly, for the inconvenience they have caused to the police authorities.

5. Accordingly, as a pre- condition, for quashing of the proceedings, each of the petitioner will have to pay an amount of Rs.5000/- (Rupees Five thousand only) to the Goa State Covid 19 Relief Fund.

6. Accordingly, the petitioners will have to deposit this amount with the Registry of this Court within two weeks from today. If such amounts is indeed deposited, then, the Registry to make over the said amount to the said Fund immediately.

7. However, if the amount not deposited, then, both these petitions shall be deemed to be dismissed without reference to this Court.
8. If the amounts are indeed deposited, then, the FIR No.194/2020 dated 23/11/2020 registered at the Pernem Police Station shall stand quashed. So also the Charge Sheet No.14/2021 dated 14/3/2021 in the Court of the learned Judicial Magistrate First Class, Pernem shall also stand quashed.
9. Upon the deposit of the costs, the petitioners can file the proof of such deposit along with the authenticated copy of this order before the learned Judicial Magistrate First Class who shall formally dispose of the charge sheet No.14/2021 dated 15/3/2021.

SMT. M. S. JAWALKAR , J.

M. S. SONAK, J.

Ap/-