

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO. 76 OF 2022**

RAJESH GAJINKAR

... Petitioner. .

Versus

**STATE, THR. MAPUSA POLICE STATION,
OFFICER IN CHARGE OF MAPUSA POLICE
STATION, MAPUSA AND 2 ORS.**

...Respondents.

Mr. Prasheel Lotlikar, Advocate for the Petitioner.

**Mr. S.G. Bhobe, Public Prosecutor for the State-Respondents
No.1 & 2.**

**CORAM: DIPANKAR DATTA, CJ &
M. S. SONAK, J.**

DATED: 1st August 2022

P.C.:-

1. The petitioner seeks quashing of FIR No.42/2021 registered at the Mapusa Police Station under sections 381 and 380 read with section 34 of the Indian Penal Code.

2. We have read the complaint giving rise to the FIR, at page 27 of the writ petition. We are of the clear view that the complaint does disclose cognizable offence committed by the wife of the petitioner in collusion with him.

3. Learned advocate for the petitioner submits that the petitioner has been falsely implicated and there is no merit in the allegation. Such submission, at this stage, is not too relevant. The petitioner cannot urge us to conduct a mini trial at this stage to assess the worth of the allegation levelled by the complainant.

4. That apart, we are informed by the learned Public Prosecutor that the investigation has concluded in filing of a report (charge-sheet) under section 173(2) of the Code of Criminal Procedure.

5. In such view of the matter, we find no reason to interfere. The writ petition is dismissed. No costs.

6. This order shall, however, not preclude the petitioner from exploring his remedy, if any, in accordance with law.

M. S. SONAK, J.

CHIEF JUSTICE