

Jose

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.62 OF 2022
IN
CRIMINAL WRIT PETITION NO.181 OF 2019

JOAO C. PEREIRA AND ANR.

... Applicants

Versus

STATE OF GOA, THR. POLICE ATTACHED
TO VERNA POLICE STATION AND 2 ORS.

... Respondents

Mr. Galileo Teles, Advocate *for the Applicants*.

Mr. Pravin Faldessai, Additional Government Advocate *for Respondent Nos.1 and 3*.

Mr. Dhaval Zaveri and Mr. N. Govekar, Advocates *for Respondent No.2*.

**CORAM: M.S. SONAK &
R.N. LADDHA, JJ.**

DATED: 29th August, 2022

P.C.:

1. Mr. Zaveri states that today he will file a reply on behalf of Respondent No.2 (original complainant).
2. Accordingly, we post Criminal Writ Petition No.181/2019 for final hearing on 27.09.2022, high on board, subject to overnight part heard matters.
3. In this case, the trial had never commenced before the Trial Court. The challenge in this petition is to the charge-sheet filed. Earlier, the prosecution had applied for A-Final Summary. After the same was

rejected by the Trial Court, charge-sheet was filed. The issue raised by the Petitioner is whether such charge-sheet could have been filed in the absence of any further evidence being collected against the Petitioner. It is in these circumstances that stay of proceedings was granted on 06.01.2020.

4. Therefore, considering the order made by the Hon'ble Supreme Court on 25.04.2022 in *Asian Resurfacing of Road Agency P. Ltd. and Anr. vs. Central Bureau of Investigation*¹, we deem it appropriate to extend the interim relief until the final disposal of the petition. Further, we have placed the petition for final disposal on 27.09.2022.

5. This Criminal Miscellaneous Application No.62/2022 is disposed of in the above terms.

R.N. LADDHA, J.

M.S. SONAK, J.

JOSE
FRANCISCO
DSOUZA

Digitally signed by Jose
Francisco Dsouza
DN: cn=Jose Francisco Dsouza,
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¹ 2022 SCC OnLine SC 1014