

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.14 OF 2023

BINISH THOMAS

... PETITIONER

Versus

**STATE OF GOA THR.
PUBLIC PROSECUTOR
AND 2 ORS.**

... RESPONDENTS

Mr Preetam Talaulikar, Advocate *for the Petitioner.*

**Mr. Nikhil Vaze, Additional Public Prosecutor *for
Respondent – State.***

**CORAM: M. S. SONAK &
BHARAT P. DESHPANDE, JJ.**

DATE : 19th JUNE 2023

P.C. :

- 1.** Mr Talaulikar appearing for the petitioner would submit that in spite of service of notice, respondent no.3/original complainant is not appearing.
- 2.** This petition was filed only on the ground of settlement between the parties. Initially, the petitioner has deposited ₹50,000/- in this Court towards security/costs.

3. Mr Talaulikar, on instructions, would submit that he would withdraw the present petition with liberty to approach as and when respondent no.3 agrees to appear and support the prayer for quashing of the charge sheet in the case no.IPC/302/2022 filed before the JMFC, Margao.

4. We allow the petitioner to withdraw the present petition with liberty to file a fresh petition. The petitioner would submit that he may be permitted to withdraw an amount of ₹25,000/- which he has deposited in this Court. The remaining amount shall be deposited with the Goa State Legal Services Authority towards costs. The Registry to permit the petitioner to withdraw the amount of ₹25,000/- and the balance amount to be deposited with the Goa State Legal Services Authority.

5. The petition stands disposed of in the above terms.

BHARAT P. DESHPANDE, J.

M. S. SONAK, J.

NITI K

HALDANKAR

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HALDANKAR
Date: 2023.06.20
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