

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.106 OF 2023

DHEERAJ SAUNDH

... PETITIONER

Versus

STATE OF GOA, THR. POLICE

INSPECTOR/INVESTIGATING OFFICER,

CALANGUTE POLICE STATION AND ANR

... RESPONDENTS

Mr Preetam Talaulikar, Advocate for the Petitioner.

Mr Nikhil Vaze, Addl. Public Prosecutor for the State/Respondent No.1

Mr R.J. Pinto, Advocate for Respondent No.2/Complainant.

WITH

CRIMINAL WRIT PETITION NO. 662/2023(F)

Mr Rohan Desai, Advocate for the Petitioner.

Mr Pravin Faldessai, Addl. Public Prosecutor for the State/Respondent

Mr R.J. Pinto, Advocate for Respondent/Complainant.

**CORAM:- M. S. SONAK &
VALMIKI SA MENEZES, JJ.**

DATED :- 11th December, 2023

P.C.:

1. Heard Mr Preetam Talaulikar for the Petitioner, Mr Nikhil Vaze, learned Addl. Public Prosecutor for the State, Mr R.J. Pinto for the Respondent/Complainant in WPCR No.106/2023 and Mr Rohan Desai for the Petitioner, Mr Pravin Faldessai, learned Addl. Public Prosecutor for the State and Mr R.J. Pinto for the Respondent/Complainant in WPCR No.662/2023(F).

2. These Petitions seek quashing of FIR. However, the learned Addl. Public Prosecutor submitted that after the investigation concluded, 'C' Summary Report is filed before the appropriate Magistrate.

3. Since 'C' Summary Report is filed before the appropriate Magistrate, we are sure that the same will be dealt with in accordance with law. A notice will have to be issued to the Complainant before any action is taken on the 'C' Summary Report.

4. Accordingly, we dispose of these Petitions, with liberty to the Petitioners and the Complainant to take out such proceedings as they may be advised, before appropriate forum, depending upon the Magistrate's decision on the 'C' Summary Report. All contentions of all parties are, therefore, left open.

5. With the above liberty, these Petitions are disposed of. There shall be no order for costs.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.

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