Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.10 OF 2024

1. Mr. Maghav Gupta
Age: 35 years, 0cc.: Business.
Residing at Bungalow No. 45/1,
Vanelim, Colva, Salcete, Goa.

2. Ms. Rekha Gupta, Age: 40 years, 0cc.: Business, residing at Bungalow No. 45/1, Vanelim, Colva, Salcete, Goa, Represented through Her Power of Attorney, Mr. Maghav Gupta.

… PETITIONERS

Versus

1) State of Goa, Through PI, Margao Town Police Station.

2) Moises Sacal Haiat, Authorised Representative of Groupo Lord and Co., Having Office address at Av. Industrial Textile No. 8-A Col. Parque Industrial Naucalpan C.P. 53489, Esteado de, Mexico.

3) Ld. Public Prosecutor, Office of the Learned Advocate General, High Court of Bombay at Goa.

… RESPONDENTS

Ms Seoula Vas with Mr Estevan Cardozo, Advocates *for the Petitioners.*

CORAM: M.S. SONAK &
VALMIKI MENEZES, JJ.

DATE: 12th FEBRUARY 2024

ORAL ORDER:

1. Heard Ms Seoula Vas with Mr Estevan Cardozo for the petitioners.

2. The petitioners, invoking Section 482 of the Code of Criminal Procedure (Cr.P.C.), seek the quashing of FIR No.93/2023, registered before the Margao Town Police Station, South Goa District, Goa.

3. Ms Vas, learned counsel for the petitioners, submits that the complaint in this case was filed by an Advocate. She submits that a complaint filed by an Advocate or even the Power of Attorney holder was not maintainable, and based on this, no FIR could have been registered.

4. Ms Vas submits that the complaint dated 17.11.2023, based on which the impugned FIR came to be registered, has a predominantly civil profile. She submits that this is a matter where a civil dispute is sought to be given a criminal hue. This, she submits, amounts to abuse of the process of law, and the impugned FIR ought to be quashed on this ground alone.

5. Ms Vas submits that even otherwise, none of the ingredients of the offences under Sections 120B, 465, 468, 471 and 420 of the Indian Penal Code (IPC) are made out even upon accepting the allegations in the complaint at their face value. She submits that unless the ingredients of the offences described by these sections are made out, the investigations based on the impugned FIR cannot be permitted to proceed. She submits that given the law laid down by the Hon'ble Supreme Court in the case of ***State of Haryana And Ors. v/s. Bhajan Lal and Ors. - 1992 Supp (1) SCC 335***, the impugned FIR deserves to be quashed.

6. We have considered the matter and analysed the complaint on which the impugned FIR is registered. Given the allegations in the complaint and the law on the subject, no case is made to quash the impugned FIR. Our brief reasons for this conclusion follow.

7. Insofar as the first ground urged by Ms Vas is concerned, no case is made out for quashing the impugned FIR based on the same. It is well settled that in the context of cognisable offences, the complainant does not have to strictly establish locus standi unless any particular statute or section insists upon the same. Here, the complaint is filed by the Advocate or, rather, the authorised representative for the complainants. The complaint is obviously on behalf of the complainants. Besides, a power of attorney has also been produced. Therefore, based upon the ground urged, no case is made to quash the impugned FIR.

8. The impugned FIR is based on the complaint dated 17.11.2023, inter alia, against the petitioners herein for having committed offences under Sections 120B, 465, 468, 471 and 420 of the IPC. Since the contention is that the complaint has a predominantly civil profile and further, even if the allegations in the complaint are taken at their face value, they do not disclose the commission of any offences under the sections invoked, or otherwise, it would be appropriate to transcribe the complaint dated 17.11.2023, in its entirety, for the convenience of reference:

*“ **BY HAND / SPEED POST / E-MAIL / FAX***

Dated: 17th November, 2023

To,
The S.H.O.,
P.S. Margao Town,
Goa, India.
Email: pimargao@goapolice.gov.in complaint@goapolice.gov.in

SUBJECT: *Complaint against following named persons for Cheating, Forgery, Fraud, Criminal Breach of Trust in merchandise deal, Criminal Misappropriation committed in Criminal Conspiracy with each other to the tune of USD 94500 (INR 77.8 lacs approx.):*

A.1 Rekhas House of Cotton Private Limited
Shop No.6, 3rd Floor, Reliance Atria,
Isidoria Baptista Road, Opp. Gold Star Hotel,
Margao, Selcette, Goa-403601, India.
Mob: +91 8322710340
Email: info@rekhashouseofcotton.com

A.2 Mr. Maghav Gupta (Director of A.1)
S/O Sh. Naval Gupta, R/O V26, CD Scenic Acres,
Chandrawado, Fatorda. Salcete, South Goa 403602, India.
Mob.: +91 8408823000
Email: gupta@rekhashouseofcotton.com

A.3 Smt. Rekha Gupta (Director of A.1)
W/O Mr. Maghav Gupta
R/O H. No. A4-G2, Oceans Groove, Vanelim,
Colva, Salcete, South Goa 403708, India.

A.4 Ms. Pallavi Shanbhag (Working at A.1 Company)
D/O Not Known
R/O Not Known
Mob.: +91 7066540011

A.5 Mr. Krishna (Freight Forwarder)
S/O Not Known
R/O Not known
Mob.: +91 9555900025

A.6 Associates of accused No.1 to 5. Names to be disclosed by accused No.1 to 5.

Dear Sir/Madam,

1. That "Grupo Lord & Co." (herein after called 'our company") is incorporated under Mexican Laws having its address at Av. Industria Textil No.8-A Cal. Parque Industrial Naucalpan C.F. 53489, Naucalpan de Juarez, Estado de Mexico, which globally deals in import and export business of goods to its various clients. I am the authorised representative of our company to file the present complaint being authorised by the General Power of Attorney issued in my favour, the attested English translation copy of the same is attached herewith at Annexure A.

2. That during the course of its business, our company in order to meet the demand of its clients was required to purchase 100% cotton T-Shirts with specification of several colors in 1 60 gsm/m2. In the month of October/November, 2021, while searching for a suitable T-Shirts manufacturing company, it was revealed through internet at Alibaba website that a company 'Rekhas House of Cotton Private Limited' accused A.1), incorporated under The Companies Act (Indian law) and managed by its directors accused No.2 & 3 having its registered office at Shop No.6, 3rd Floor, Reliance Atria, Isidoria Baptista Road, Opp. Gold Star Hotel, Margao, Selcette, Goa - 403601 (India) is a manufacturing company for required T-Shirts. Accused No.2 & 3 boasted of accused No.1 company being India's biggest manufacturer and stockist of T-Shirts having a vast factory size of 50,000 to 1,00,000 square meters with employees strength of about 20 1-300 persons and assured of delivery of goods within agreed time frame. In this way, our company was taken into confidence and we were allured to deal with accused A.1 company through its directors accused A.2 & 3. Copy of details of accused A.1 to A.3 as available at Alibaba website are annexed herewith at Annexure 'B'.

3. That after being satisfied with the representations of accused A.1 company through its directors accused A.2 & A.3, we enquired about the delivery time, price terms, providing of sample T-Shirts etc. in our various email communications sent from my email address moises@groupolord.com to email address of above accused persons as info@rekhashouseofcotton.com, the above accused persons, in reply to our said emails, made an offer to us through their emails communications dated 02.11.202l and 11.11.2021, to sell the said product T-Shirts at a price of USD 0.30 per piece with its delivery time of 45 days by sea at Mexico.

4. That on dated 20.11.2021, for the purpose to provide us the sample T-Shirts at Mexico, accused A.4 at instance of accused A.2 & A.3, contacted me through whatsapp from her mobile No. +91 7066540011 at my mobile number +52 5551014812, wherein she introduced herself as an employee of accused A.1 company and informed me that she got my number from accused A.2. After sharing the Fedex/courier account bearing No.876167093 with accused A.4, our company received the sample T-Shirts which was confirmed by me through whatsapp communication dated 30.11.2021. Consequently, at instance of accused persons, our company paid an amount of Mexican Pesos k3,331.77, equivalent around INR 15,000/- (Indian Rupees Fifteen Thousand Only) to the Fedex/courier company, towards courier service against Fedex invoice dated 06.12.2021, copy of the same is attached herewith at Annexure 'C'.

5. That during the first week of December, 2021, in continuation of our negotiations, it was further represented by the accused A.2 to me in our whatsapp communications made between us from accused A.2 and my mobiles bearing Nos. +91 8408823000 and +52 5551014812 respectively, *that the accused persons will initiate and complete the quality production of T-Shirts after making an advance payment of 30 percent against the orders of T-shirts. During such whatsapp communications, it was also agreed that our company wilt conduct an inspection of ordered T-Shirts after its manufacture so as to ensure about its quality and quantity before making the remaining 70 percent payment at the time o final delivery. It was further represented by accused A.2 in whatsapp communications that the above accused persons will deliver the T-Shirts in 30 days period at Mexico.*

6. That to conduct the inspection of T-Shirts at factory address of accused A.1, our company engaged an inspecting company namely "Intertraffic (Asia) Ltd.", which fact was immediately informed by me to accused A.2 in our whatsapp communication dated 0812.2021. Subsequently, dated 09,12.2021, one Ms. Angela Zheng, employed as Coordinator Supervisor with "Intertraffic (Asia) Ltd." sent an email from her email address as azheng@intertrafficgroup.com to email of accused A.2 as gupta@rekhashouseofcotton.com to schedule the appointment for said inspection. However, the accused A.2 lingered on the inspection process on one pretext or the other.

7. That during the second week of December, 2021, our company placed two orders for total quantity of 6,00,000 T-Shirts. Consequently, accused persons raised proforma invoice (P1) bearing No.953 dated 09th December, 2021 for 2,00,000 quantity of T-Shirts for an amount of USD 60,000 (Sixty Thousand US Dollars Only), which was sent by accused persons through their email address at my email address The accused persons raised another proforma invoice (PI) bearing No.1025 dated 09th December, 2021 for a total 4,00,000 quantity of T-Shirts for an amount of USD 1,20,000 (One Lac Twenty Thousand US Dollars Only), which was sent by accused persons through their email address as gupta@rekhashouseofcotton.com at my email address as moises@groupolord.com. Copies of the said two proforma invoices are attached herewith at Annexure 'D' (Colly).

8. That against the said two proforma invoices (PI) at the instance of accused persons our company paid an agreed 30 percent advance amount of USD 30000 (Thirty Thousand US Dollars Only) vide banking confirmation reference No.12381043 dated 09.12.2021 and an amount of USD 24000 (Twenty Four Thousand US Dollars Only) vide banking confirmation reference No.12501372 dated 29.12.2021, both in the bank account of accused A.1 at "HDFC Bank Ltd." account No.50200004638815 situated at Shop No.1,2 & 3, Mangirish Prasad CO-OP HSG Society, Opposite Babu Naiks House, Aquem Margaon, Goa - 403601 (India). As such a total advance payment of USD 54000 through above banking transaction was made by our company. The bank confirmation receipts for both the above transactions were shared by me to the accused No.2 through whatsapp communications on dated 09.12.2021 and 29.12.2021. Copies of banking confirmation reference

No.12381043 dated 09.12.2021 and banking confirmation reference No.12501372 dated 29.12.2021 are annexed herewith at Annexure 'E' (Colly).

9. That the accused persons raised another proforma invoice (PI) No.1026 dated 10.12.2021 for an amount USD 13,500 (US Dollars Thirteen Thousand Five Hundred Only) towards advance booking of 3 cubical containers each having 40 feet height for shipment of 6,00,000 quantities of T-shirts and directed us to make the said payment. Accordingly, as directed by accused persons, our company paid an amount of USD 13,500 in above said HDFC bank account of accused A.1 vide bank confirmation reference bearing No.12400314 dated 13.12.2021. Copies of PI No.1026 and bank confirmation No.12400314 are attached herewith at Annexure 'F' (Colly).

10. That in the meantime, on dated 16.12.2021, accused A.2 made another lucrative offer through whatsapp communications to supply another 4,00,000 quantities of T-Shirts having same quality at a lower price of USD 0.20 per piece with a stipulation of making only 10% advance amount of USD 8000 (US Dollar Eight Thousand Only) and the remaining amount of USD 72000 (US Dollars Seventy Two Thousand) to be paid after 90 days of receiving the said order of 4,00,000 T-Shirts. As such, at the instance of accused persons, our company paid the said 10% advance amount of USD 8000 in the above said HDFC bank account of accused A.1 vide banking confirmation reference No.12526269 dated 03.01.2022. Additionally, our company has also paid an amount of USD 9000 (US Dollars Nine thousand Only) towards advance booking of 2 containers for shipment of 4,00,000 1-Shirts, in the above said HDFC bank account of accused A.1 vide banking confirmation reference No.12439402 dated 17.12.2021. Total amount paid for this offer is USD 17000 as on 03.01.2022. Copies of both banking confirmation dated 03.01.2022 and 17.12.2021 are attached herewith at Annexure 'G' (Colly).

11. That accused A.2 also assured me through whatsapp communication dated 23.12.2021 that the production will be completed within 10 days after confirmation given by Our Company. The said confirmation was conveyed by us on 28.12.2021. Therefore, the production was to be completed by 07.01.2022 and at this final stage of the deal, the accused persons were obliged to allow inspection of alleged manufactured T-Shirts, which is a foremost requirement to check the quality material before dispatching the goods. However, it is to our utter shock and surprise, on 05.01.2022 we received an unwarranted demand from accused persons to make payment of USD 15000 on the pretext of labelling of T-Shirts, despite the fact that we already having made aforementioned considerable payment, we were trapped in their web and after negotiations could make payment of USD 10000 in the aforesaid HDFC bank account vide banking confirmation reference No.12554520 dated 07.0t2022 and consequently the inspection of the goods was to be carried out. Copy of *banking confirmation reference No.12554520 dated 07.01.2022 is attached herewith at Annexure 'H'.*

12. That thereafter, Ms. Angela Zheng made her sincere efforts to coordinate with accused persons to conduct inspection of alleged manufactured T-shirts through various emails sent to accused persons at their email address gupta@rekhashouseofcotton.com. The accused persons with their malafide intention to digress Ms. Angela Zheng conveyed a misleading information by their emails dated 05.01.2022 about delay in payments and finally through email dated 07.01.2022, the accused persons conveyed to have stopped the production of T-Shirts. Upon our enquiry, the accused persons the accused persons did not cooperate in the matter and created a surcharged atmosphere to avoid the inspection of T-Shirts and fabricated false photograph which was sent to me through whatsapp on 10.01.2022 of alleged manufactured T-Shirts allegedly being loading in a truck for dispatch, without providing us any details of the truck, billing or relevant document etc.. Earlier also the accused persons had sent false and fabricated photographs showing alleged manufacturing and readiness process. Such actions of the accused persons speaks for itself of their malafide designs and creating false document in the shape of photograph, to pretend the completion of manufacturing process, which in fact was not manufactured nor ready for dispatch. Copy of email dated 05.01.2022 and 07.01.2022 and photograph showing loading the truck are attached herewith at Annexure 'I' (Colly).

13. That further, the accused persons in conspiracy with each other fabricated and forged tie documents pertaining to custom department, commercial invoices and packing list, sent through whatsapp on 11.01.2022. On the pretext of these forged and fabricated documents, accused No.5, from his mobile No. 9555900025 through whatsapp contacted me and introduced himself as a freight forwarder, engaged by accused A.1 to A.4 for alleged shipment of alleged manufactured T-Shirts. Accused No.5 further failed to provide any document pertaining to shipment and thereafter suddenly eloped from the scene and stopped communicating arid ignoring my whatsapp messages on the subject matter without any justifiable reason. Consequently, accused A.2 also eloped and stopped communicating on the subject matter, It is apparent that accused No.5 has also acted in conspiracy with accused A.1 to A.4 in this matter. Copy of documents of custom department, commercial invoices and packing list etc. are attached herewith at Annexure 'J' (Colly).

14. That thereafter, I made hectic and sincere efforts with due diligence to contact the accused persons and got in touch accused A.2 who apologised for his past conduct and assured to complete the deal with compensation but to no avail. In this way accused A.2 again lingered on the matter and did not supply the requisite T-Shirts and usurp the amount of USD 94500 besides INR 15000 till date. By such malafide and dishonest intention, the accused persons have caused wrongful gain to themselves *and wrongful loss to our company to the tune of USD 94500 besides INR 15000. It is pertinent to mention that the accused persons cannot be allowed to take benefit of their own wrongs and cannot retain our legitimate money aforementioned.*

15. That from the foregoing, it is prima facie apparent that since inception, the accused persons have played a big fraud. forgery, cheating, Criminal Breach of Trust in merchandise deal, criminal misappropriation etc., committed by them in conspiracy with each other. Even the accused persons seems to have misrepresented themselves by posting false and deceptive information at Alibaba website and further misrepresented in the whatsapp and email communications exchanged between us. As such the accused persons are liable to be punished for the same as per law. In the facts and circumstances the present case needs a thorough investigation including collection of material evidence by interrogating the above accused persons at the earliest there is imminent apprehension that accused persons may destroy the evidence.

16. That the loss has been suffered by our company at behest of accused A.1 having its registered office at 303-306, Reliance Atria, Isidoria Baptista Road, Opp. Gold Star Hotel, Margao, Selcette, Goa – 403601 (India) and the WhatsApp/mobile/emails communications between the above accused persons and our company were also made from their said registered office.

17. I, therefore, humbly request your honour to kindly take stern and immediate legal action against the above accused persons for the various offences committed by them by lodging an FIR under appropriate provision of law and punish them accordingly as per law.

Thanking you,

Yours Sincerely,

sd/-

Moises Sacal Haiat (AR)
Grupo Lord & Co.
Av. Industria Textil No.8-A Col.
Parque Industrial Naucalpan C.P. 53489,
Naucalpan de Juarez, Estado de Mexico
Mob. +52 5551014812

Copy to:
1. Director General of Police (DGP) Goa
Police Headquarters, Opp. Azad Maidan,
Panaji-Goa (403 001), India.
Email : commandanthgcd@goapolice.gov.in

2. Superintendent of Police (South Goa)
Comba, Margao, Goa 403601
Email: sps-pol@goa.nic.in

3. Directorate General of Foreign Trade
(DGFT) Udyog Bhawan, H-wing,
Gate No-02, Maulana Azad Road,
New Delhi -110011
Email: dgftedi@nic.in ”

9. In *Bhajan Lal & Ors. (supra)* the Hon'ble Supreme Court has held that where the allegations made in the FIR or complaint, even if they are taken at their face value and accepted in their entirety, do not prima facie constitute any offence or make out any case against the accused or when the criminal proceeding is found to have been initiated with malafides and/or malice for wreaking vengeance on the accused or with a view to spite him due to private or personal grudge, the impugned FIR could be quashed under Section 482 of Cr.P.C. or Article 226 of the Constitution.

10. In the present case, on perusing the complaint and the allegations therein, it is difficult to say that the allegations, even if taken at their face value, do not disclose the petitioners' commission of cognisable offences. Besides, there is no scope to even remotely infer malafides or malice. This is also not a case of wreaking any vengeance. Therefore, following Bhajan Lal (supra), no case is made out for quashing the impugned FIR.

11. On perusal of the complaint, it is seen that the complaint contains allegations about the representations that were made by the petitioners being false and, further, the allegations that the accused persons had prior knowledge that such representations were false. There are allegations about dishonest intentions in order to deceive the complainants. There are allegations backed with material in the form of the transfer of huge amounts through regular banking channels, which suggest that the petitioners induced the complainants to deliver property or to perform or abstain from any act which this person would not have done or had otherwise committed.

12. The complaint also discloses allegations about conspiracy, forgery for the purpose of cheating, and fraudulently and dishonestly using a forged document as genuine. Further, the investigations are in progress, and no case is made out to scuttle them.

13. In ***Indian Oil Corpn. v. NEPC India Ltd., (2006) 6 SCC 736***, the Hon'ble Supreme Court has held that a complaint has to be examined as a whole without examining the merits of the allegations. Neither a detailed inquiry nor a meticulous analysis of the material nor an assessment of the reliability or genuineness of the allegations in the complaint is warranted while examining prayer for quashing a complaint. The Court held that the power to quash should not be used to stifle or scuttle a legitimate prosecution. The power should be used sparingly and with abundant caution.

14. The Court also held that the complaint is not required to reproduce verbatim the legal ingredients of the offence alleged. The proceedings should not be quashed if the necessary factual foundation is laid in the complaint merely on the ground that a few ingredients have not been stated in detail. Quashing the complaint is warranted only where the complaint is so bereft of even the basic facts necessary for making out the offence.

15. The Court also held that a given set of facts may make out a purely civil wrong, a purely criminal offence, or a civil wrong as also a criminal offence. Apart from furnishing a cause of action for seeking remedy in civil law, a commercial transaction or a contractual dispute may also involve a criminal offence. As the nature and scope of a civil proceeding are different from a criminal proceeding, the mere fact that the complaint relates to a commercial transaction or breach of contract, for which a civil remedy is available or has been availed, is not by itself a ground to quash the criminal proceedings. The test is whether the allegations in the complaint disclose a criminal offence or not.

16. Therefore, by applying the above principles, no case is made for quashing the impugned FIR. If taken at their face value, the allegations in the complaint clearly disclose the petitioners' commission of a cognisable offence. The fact that the transaction may also have a civil profile is not sufficient to quash the proceedings now that the complaint discloses the petitioners' commission of a criminal offence.

17. In ***Neeharika Infrastructure Private Limited v/s. State of Maharashtra And Ors. - (2021) 19 SCC 401***, the Hon'ble Supreme Court, after extensively considering judgements regarding the subject of quashing criminal proceedings, held that, right from the decision of the Privy Council in ***King Emperor v. Khwaja Nazir Ahmad, 1944 SCC OnLine PC 29***, the some of the principles that emerge are, that the power of quashing should be exercised sparingly with circumspection, in the "*rarest of rare cases*". The rarest of rare cases standard in its application for quashing under Section 482 Cr. P.C. is not to be confused with the norm which has been formulated in the context of the death penalty, as explained previously by this Court. While examining an FIR/complaint, quashing of which is sought, the Court cannot inquire about the reliability or genuineness or otherwise of the allegations made in the FIR/complaint. The Court held that criminal proceedings should not be scuttled at the initial stage and quashing a complaint/FIR should be an exception and a rarity than an ordinary rule.

18. The Court also held that save in exceptional cases where non-interference would result in a miscarriage of justice, the Court and the judicial process should not interfere at the stage of investigation of offences. The Court also held that the first information report is not an encyclopaedia which must disclose all facts and details relating to the offence reported. Therefore, when the investigation by the police is in progress, the court should not go into the merits of the allegations in the FIR. Police must be permitted to complete the investigation. It would be premature to pronounce the conclusion based on hazy facts that the complaint/FIR does not deserve to be investigated or that it amounts to abuse of process of law. During or after the investigation, if the investigating officer finds that there is no substance in the application made by the complainant, the investigating officer may file an appropriate report/summary before the learned Magistrate, which may be considered by the learned Magistrate in accordance with the known procedure. The court held that when a prayer for quashing the FIR is made by the alleged accused, the Court when it exercises the power under Section 482 Cr.P.C., only has to consider whether or not the allegations in the FIR disclose the commission of a cognisable offence and is not required to consider on merits whether the allegations make out a cognisable offence or not and the court has to permit the investigating agency/police to investigate the allegations in the FIR.

19. The above principles are relevant in the present case because the investigations are in progress. This is not a case for scuttling the investigations, particularly because the allegations in the complaint if taken at their face value, disclose the ingredients of the various offences for which the petitioners have been charged.

20. Ms Vas also tried to contend that there was no legal evidence to prove the allegations against the petitioners. In ***Zandu Pharmaceutical Works Ltd. And Others v/s. Mohd. Sharaful Haque And Anr. - (2005) 1 SCC 122***, the Hon'ble Supreme Court has explained that it is important to bear in mind the distinction between a case where there is no legal evidence or where there is evidence which is clearly inconsistent with the accusations made, and a case where there is legal evidence which, on appreciation, may or may not support the accusations. When exercising jurisdiction under Section 482 of the Cr. P.C., the High Court would not ordinarily embark upon an enquiry whether the evidence in question is reliable or not or whether, on a reasonable appreciation of it, the accusation would not be sustained. That is the function of the trial Judge. Section 482 is not an instrument handed over to an accused to short-circuit a prosecution and bring about its sudden death. This jurisdiction has to be exercised sparingly and in rarest of rare cases.

21. Thus, for all the above reasons we are satisfied that no case is made out for quashing the impugned FIR. This petition is accordingly dismissed with no order for costs.

22. However, we clarify that the observations in this order are for the limited purpose of deciding whether any case was made out for quashing the impugned FIR. Therefore, none of the observations herein should influence the Trial Court in case any charge sheet is filed against the petitioners after the conclusion of investigations.

VALMIKI MENEZES, J. **M. S. SONAK, J.**