



shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.90 OF 2022

SANGEETA GIRI

... PETITIONER

Versus

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

... RESPONDENTS

Mr. Vibhav Amonkar, Advocate for the Petitioner.

Mr. Pravin Faldessai, Additional Public Prosecutor for Respondent
Nos. 1 and 2.

Mr. Ryan Menezes, Advocate for Respondent No.3.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 8th July, 2024

P.C.

1. Heard Mr. Amonkar for the Petitioner, Mr. Faldessai for
Respondent Nos. 1 and 2, and Mr. Menezes for Respondent no.3.

2. Though the present proceedings are filed challenging the order
passed by the learned Trial Court granting bail.

3. Mr. Amonkar fairly submits that the order was passed in April
2020 and now even the charge sheet has been filed. The trial has also
started before the learned Sessions Court. He fairly submits that in
such circumstances the challenge in the present petition is only to
observations of the Trial Court in paragraph no.7 which are found in
the first two lines. He submits that such observations of the Trial Court

were unwanted and cast aspersion on the character of the Applicant. He submits that while deciding bail application, there was absolutely no need to accept such contentions and more so the observations of the Trial Court to that effect.

4. The petition could be disposed of by expunging such remarks which are found in paragraph 7 of the order of the learned Trial Court.

5. It is unfortunate that learned Trial Court has made such remarks and that too in a bail order which could have been avoided.

6. Accordingly, the specific remarks against the character of the Applicant/Petitioner found in the impugned order are expunged from the impugned order.

7. In view of the observations, petition stands disposed of by expunging the observations of the Trial Court in the impugned order.

8. Even though such an order is passed, the Trial Court shall not be influenced by the above order, and that the contentions of the parties as far as the merits of the trial is concerned are kept open.

BHARAT P. DESHPANDE, J.