

Esha

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.110 OF 2017

DILIP PARULEKAR.,
Versus
TRAJANO D

... PETITIONER

... RESPONDENT

Mr. S. Kantak, Senior Advocate with Mr. Abhijeet Kamat, Advocate
for the Petitioner.

Mr. Abhijit Gosavi with Mr. Guruprasad Naik, Advocate for
Respondent No. 1.

Mr. Nikhil Vaze, Additional Public Prosecutor for Respondent Nos. 2
and 3.

CORAM:- AVINASH G. GHAROTE, J.

DATED :- 11th March, 2024

P.C.

Both the learned Counsel for the respective parties are agreeable that it would be appropriate that the learned Additional Sessions Judge, Mapusa decides the Revision before it on merits, instead of remitting the matter back to the learned Magistrate, as the matter has been languishing since 2017 on account of a stay granted on 07.01.2020 to the impugned order.

2. The order of the learned Magistrate dated 14.10.2015 directed the registration of the FIR in terms of the complaint dated 18.10.2015 in exercise of powers under Section 156(3) Of the Cr.P.C. The order of

remand by the Revisional Court is, therefore, hereby quashed and set aside and the matter is remitted back to the learned Additional Sessions Judge, Mapusa for deciding the same on merits. The parties shall appear before the Additional Sessions Judge, Mapusa on 18.03.2024 and the Revision shall be decided on its merits within a period of three months thereof. The Petition is accordingly disposed of in the above terms. No costs.

AVINASH G. GHAROTE, J.