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IN THE HIGH COURT OF BOMBAY AT GOA

**CRIMINAL MISC. APPLICATION NO.64 OF 2024
WITH
STAMP NUMBER MAIN NO.1274 OF 2020 (F), CRIMINAL MISC.
APPLICATION NO.66 OF 2024**

CRIMINAL MISC. APPLICATION NO.64 OF 2024
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH ... APPLICANT
Versus
A. SHIVARAMA PAI AND 2 ORS ... RESPONDENTS

**WITH
STAMP NUMBER MAIN NO.1274 OF 2020 (F)**
CENTRAL BUREAU OF INVESTIGATION,
ANTI CORRUPTION BRANCH, THR,
PALAK BHATTACHARYA, PSI,CBI, ACB ... PETITIONER
Versus
A. SHIVARAM PAI AND 2 ORS ... RESPONDENTS

**WITH
CRIMINAL MISC. APPLICATION NO.66 OF 2024
IN
STAMP NUMBER MAIN NO.1407 OF 2020 (F)**
CENTRAL BUREAU OF INVESTIGATION,
ANTI-CORRUPTION BRANCH ... APPLICANT
Versus
A SHIVRAM PAI AND 2 ORS ... RESPONDENTS

Ms. Asha Desai, Special Public Prosecutor for the Applicant.

Mr. Ashay Priolkar, Advocate for Respondent Nos. 1 and 2.

Mr. Mark Valadares, Advocate for Respondent No. 3

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 15th October, 2024

P.C.:

1. Heard Ms. Asha Desai, learned Special Public Prosecutor for the Applicant, Mr. Priolkar, learned Counsel for Respondent Nos. 1 and 2 and Mr. Valadares, learned Counsel for Respondent Nos. 3.
2. This is an application for granting of leave to file an Appeal, thereby challenging the order passed by the learned Special Court on 31.08.2019, whereby respondents have been acquitted of the offence punishable under section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act and Sections 420 and 120-B of IPC.
3. Ms. Desai would submit that the evidence produced on record against all Respondents would clearly reveal that the charge is proved against them. However, the learned Special Court on extraneous ground acquitted Respondents. She submits that there are good grounds for considering the matter on merits. Ms. Desai submits that in another connected matter bearing number CRMA 44 of 2019, wherein the appeal filed against Accused persons has been already allowed by granting leave to file an appeal in the same matter.
4. Learned Counsel for Respondents would submit that there is no ground to entertain the application for leave to file an appeal.
5. On perusal of the impugned order as well as points framed therein and the evidence produced by the complainant, it is clear that there are reasonable grounds on which the Appeal can be permitted to to be

argued.

6. Accordingly, the present application for leave to file an Appeal stands allowed. The Registry to register the Appeal. Both these applications stand disposed of accordingly.

BHARAT P. DESHPANDE, J.