

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.3/2024

NAZARIO SAVIO PAUL DSOUZA ... PETITIONER

Versus

STATE OF GOA THROUGH
PUBLIC PROSECUTOR AND ANR. ... RESPONDENTS

Ms Bindiya Vernekar, Advocate *for the Petitioner*.
Mr P. Faldessai, Additional Public Prosecutor *for the State*.

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

DATE: 31st JANUARY 2024

P.C.:

1. Heard Ms B. Vernekar for the petitioner and Mr P. Faldessai, learned Additional Public Prosecutor for the State.
2. We find that the complainants have not been impleaded as respondents though the prayer is for quashing of the FIR. Mr Faldessai points out that a charge-sheet has already been filed and even a charge has already been framed. He points out that this is disclosed in the petition but neither the charge-sheet nor the order framing charge has been challenged.
3. Ms Vernekar seeks leave to amend the petition by impleading the complainants and challenging the charge-sheet and the order framing charge. Leave is granted. Amendment to be carried out within a week

from today. Copies of the amended petition to be served upon the learned Additional Public Prosecutor as also the complainants who are now ordered to be impleaded. Immediate steps should be taken to serve the complainants.

4. Notices are issued to the impleaded complainants returnable on 26.02.2024. Notice to indicate that this petition will be finally disposed of at the admission stage.

5. Learned JMFC dealing with Criminal Case No.IPC/293/22/E is requested to defer the trial to some suitable date beyond 26.02.2024. This is on the assurance from Ms Vernekar that amendment will be carried out within one week without any delay and further, steps will also be taken within a week to serve the complainants who are now ordered to be impleaded. If no steps are taken within a week, the request that we have now made to the learned JMFC will stand withdrawn.

VALMIKI SA MENEZES, J.

M. S. SONAK, J.