



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.28 OF 2025

DEEPAK NETARDEKAR

... PETITIONER

Versus

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

... RESPONDENTS

Mr Nigel Da Costa Frias with Mr Shane Coutinho and Mr Vineet Surlekar, Advocates for the Petitioner.

Mr Devidas J. Pangam, Advocate General with Mr Somnath B. Karpe, Additional Public Prosecutor holding for Mr Pravin Faldessai, Additional Public Prosecutor for Respondent State.

Mr Sammir Nagnuri, ASI, Margao Police Station in person.

Mr Damodar Shivaji Shet Shirodker, Complainant in person.

**CORAM:- BHARATI DANGRE &
ASHISH S. CHAVAN, JJ.**

DATED :- 4th October, 2025

P.C.

1. As directed by us on 29.09.2025, we have the presence of Shri Sammir Nagnuri, ASI, Margao Police Station. Mr Faldessai, the learned Additional Public Prosecutor, who represent the Prosecution, has failed to mark his appearance.

2. We are informed that on compiling the necessary documents, the chargesheet has been presented in the Court of JMFC, Margao, yesterday, i.e. on 03.10.2025, under Sections 341 and 326 of the

Indian Penal Code.

3. In the wake of the above, without pronouncing at this stage upon the delay in filing of the chargesheet but leaving all liberties open to the Petitioner to take this ground when he file the further proceedings either for quashing or for discharge, we dispose of the Criminal Writ Petition with a clear understanding that when the cognizance of the chargesheet is to be taken, the Court shall have due consideration to the provisions of Section 468 of the Code of Criminal Procedure, 1973.

4. Needless to state that since the report is placed before us by the Director of Prosecution, we expect the aforesaid episode along with the report shall be brought to the notice of the Joint Secretary (Home), who is directed to initiate appropriate inquiry against the Officers who are found to be at fault as such lapse must necessarily be looked at with all seriousness as we find that even the accused and the complainant, both are the sufferers. We expect the inquiry to be conducted and taken to its logical conclusion.

ASHISH S. CHAVAN, J.

BHARATI DANGRE, J.