



Esha

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 67 OF 2024

GAURAV BAKSHI

... PETITIONER

VS

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

... RESPONDENTS

Mr. Nigel Costa Frias with Mr. Savio Mesquita, Advocates for the
Petitioner.

Mr. Somanth Karpe, Additional Public Prosecutor for Respondent
Nos. 1 and 2.

Mr. Vithal Naik, Advocate for Respondent No. 3.

**CORAM: M.S. KARNIK &
NIVEDITA P. MEHTA, JJ.**

DATED: 26th FEBRUARY 2025

P.C:

1. Respondent No. 3 appeared and submitted that he wants to
put an end to this dispute and that he does not want to prosecute
FIR No. 63/2024 any further.

2. Learned Counsel for Respondent No. 3 made a statement,
on instructions, that the criminal complaint dated 10.07.2024 filed
by Respondent No. 3 with Colva Police Station will not be
prosecuted.

3. The statement made is accepted.
4. We are also satisfied that in view of the stand taken by Respondent No. 3, no purpose would be served in proceeding with FIR No. 63/2024, which has now resulted in registration of the chargesheet as this would amount to an abuse of the process of the Court. The possibility of conviction is bleak and remote.
5. Accordingly, the Petition is allowed in terms of prayer clauses (A), (AA) and (B), which read thus:

A. That this Hon'ble Court in exercise of its inherent jurisdiction under Section 528 Bharatiya Nagarik Suraksha Sanhita 2023 and Article 226 of the Constitution of India be pleased to quash and set aside the FIR No. 63/24 dated 10.07.2024, registered at Colvale Police Station, Colvale, Bardez, Goa against the Petitioner.

AA. For an appropriate writ, order or direction thereby quashing and setting aside the charge sheet No. 70/2024 dated 26.08.2024 filed before the Judicial Magistrate First Class at Bicholim in case No. IPC/60/2024/B against the Petitioner.

B. This Hon'ble Court by an order of interim relief be pleased to stay any further proceedings against the Petitioner pursuant to the FIR No. 63/2024 dated 10.07.2024, registered at the Colva Police Station, against the Petitioner.

6. Mr. Frias, on instructions, submits that the complaint made by the Petitioner against Respondent No. 3 will not be prosecuted and stands withdrawn. Statement accepted.

7. The Petition is disposed of.

NIVEDITA P. MEHTA, J.

M. S. KARNIK, J.