



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.6758 OF 2024

Barthol Lawrence Dias

.....Petitioner

Vs.

The State of Maharashtra & Ors.

.....Respondents

Mr. Niranjana Mundargi with Mr. Agnel Carneiro, Mr. Mangesh Bhole,
i/b. Mulla & Mulla & C.B.C., for the Petitioner.

Ms. S. S. Kaushik, APP, for Respondents-State.

Mr. Nitin Chauhan, API, EOW, MBVV is present.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 29th JANUARY 2025P.C.:-

1. Learned counsel for the Petitioner, at the outset, does not press for transfer of the investigation to any other Agency since chargesheet has been filed in C.R.No.68 of 2019 registered with Mira Road Police Station, Thane. Learned counsel for the Petitioner however, seeks a direction to the Respondent-EOW, Mira Bhyandar, Vasai Virar Commissionerate, to initiate action under Section 83 of the Code of Criminal Procedure, as against accused No.3, in the subject F.I.R.

2. Learned APP, on instructions, submits that the trial Court

vide order dated 17th December 2024 has issued proclamation against the said accused No.3. Learned APP submits that the accused No.3 was to appear before the trial Court on 16th January 2025, but has not appeared. Ms. Kaushik further states that the police will be taking appropriate steps to file an Application for attachment of the accused No.3's property in accordance with law. She assures on instructions of Shri. Chauhan, Officer present in Court, that appropriate steps will be taken under Section 83 of the Code of Criminal Procedure. Statement accepted.

3. In view of the aforesaid, nothing survives for further consideration in the Petition.

4. The Petition stands disposed of accordingly.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)