Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.124/2022

MAHESH CHANEKAR … PETITIONER

Versus.

THE STATE OF GOA THR THE POLICE INSPECTOR OFFICE IN CHARGE PERNEM POLICE STATION AND ANR … RESPONDENTS

Mr Rohan Desai, Advocate for the Petitioner.

Mr Nikhil Vaze, Additional Public Prosecutor for Respondent – State.

CORAM: ASHWIN D. BHOBE, J.

DATED: 27th OCTOBER 2026

P.C. :-

1. Heard, Mr Rohan Desai, learned Advocate for the Petitioner and Mr Nikhil Vaze, Additional Public Prosecutor for Respondent – State.

2. By this Petition, the Petitioner has sought the following reliefs reproduced in verbatim:

> "*a) That This Court may exercise Powers of its Writ Jurisdiction under Article 227 of the Constitution of India and Section 482 and 483 of the Code of Criminal Procedure to Quash and Set aside order the Ld. POCSO*

COURT DATED 01/08/2022 AT EXHIBIT D-30 DISMISSING APPLICATION OF THE PETITIONER TO THE ALLOW THE ADVOCATE FOR THE ACCUSED TO DIRECTLY CROSS EXAMINE THE VICTIM BY ALLOWING THE LAWYER TO ASK THE QUESTIONS IN EXAMINATION IN CROSS OF THE VICTIM.

b) Stay the operation of the Order dated 1/08/2022 In scssun case (ors) 54/2022 by Pocso cont lampion Croa and its directions until the final disposal of the present WPCR: 495/2 before this Horible High Court.

c) And ad-interim ex-party stay in terms of prayer clause (b).

d) That the Hon'ble Court may frame guidelines and rules by relying on paragraph 16 of the present petition for the purpose of examination of victims who have attained majority before the Special Pocso Court."

3. Mr Rohan Desai submits that the subject matter of this Petition, i.e. Criminal Case bearing No. SCORS 59/2022, was disposed of by the POCSO Court by Judgment and Order dated 04.05.2026. He therefore fairly submits that the issues raised in this Petition have become infructuous. He therefore submits that this Petition be disposed of.

4. Mr Rohan Desai, however, seeks liberty to raise all the contentions in this Petition in the Criminal Appeal No.526/2026 (F), filed by the Petitioner before this Court against the Judgment and Order dated 04.05.2026 passed in Criminal Case No.SCORS 59/2022.

5. In view of the statement made by Mr Rohan Desai, learned Advocate for the Petitioner, leave is granted to withdraw this Petition, with liberty to raise the issues raised in this Petition in the Criminal Appeal No. 526/2026 (F).

6. Criminal Writ Petition No.124/2022 is disposed of.

ASHWIN D. BHOBE, J.

Signed by: SUCHITRA NANDAN SINGBAL
Designation: Personal Assistant
Date: 27/10/2026 19:39:45