Siddhi

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL REVISION APPLICATION NO. 143 OF 2026

NEIL MONTEIRO ... APPLICANT

VERSUS

STATE OF GOA THR. THE
OFFICER IN CHARGE
AND ANR. ..RESPONDENTS

Ms. Pallavi Betkekar, Advocate for the Petitioner.

Mr. Somnath Karpe, Additional Public Prosecutor with Mr. Anand Shirodkar, Advocate for the State.

CORAM:-AMIT S. JAMSANDEKAR , J.
DATED :- 07th October, 2026

P.C.

1. Heard the learned counsel appearing for the Petitioner.

2. By the present Petition, the Petitioner has challenged the order dated 26.07.2026 passed by the learned Ad hoc Sessions Judge-2, (FTC), Merces, North Goa, in the appeal filed by the State against the order of the learned Judicial Magistrate First

Class at 'B' Court Bicholim in Criminal Case No. IPC/89/2011/B.

3. The learned Judicial Magistrate First Class was pleased to close the evidence of the prosecution witness i.e. the Investigating Officer. The order was passed because the Investigating Officer did not appear when the matter was listed for recording his evidence.

4. The State challenged this order on various grounds, including that after the retirement of the Investigating Officer, the State Government had appointed him as an Integrity Officer, and he was investigating the football match-fixing undertaken by the Goa Football Association. On the date when the matter was listed on the cause list, he was deputed for the said investigation as an Integrity Officer.

5. Considering the prosecution's statements and the Investigating Officer's affidavit, the learned Ad hoc Sessions Judge was pleased to allow the prosecution to examine the Investigating Officer in the trial.

6. However, the record indicates that even after the liberty was granted, the Investigating Officer did not appear before the trial court on two occasions.

7. I have heard the rival submissions.

8. The trial has been going on since 2011. There is no justification at all for not completing the trial, which has been prolonged for so many years. I do not see any reason why the Investigating Officer did not remain present during the trial. Although he explained that he was appointed as an Integrity Officer after retirement, that explanation pertains to only one or two days. The Investigating Officer has been absent from the proceedings on several occasions.

9. The Judicial Magistrate First Class was absolutely right to close the Investigating Officer's evidence.

10. However, considering the fact that all the other witnesses have already been examined and it is the Investigating Officer who is in the witness box and has been partially examined by

the prosecution, I am inclined to allow the present Petition on the following terms:

(i) The Investigating Officer shall appear before the trial court on 12.10.2026. The trial court shall examine the Investigating Officer and allow his cross-examination. The recording of the Investigating Officer's evidence shall be completed on or before 23.10.2026. If the Investigating Officer fails to appear on 12.10.2026 or any date given by the trial court thereafter before 23.10.2026, the trial court shall close the evidence of the Investigating Officer.

11. Both the parties shall cooperate for the expeditious disposal of the pending case.

12. The petition stands disposed of in the above terms.

13. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will

act on the production by fax or email of a digitally signed copy of this order.

AMIT S. JAMSANDEKAR, J.

Signed by: SHAKUNTALA ZALMI
Designation: Personal Assistant
Date: 09/10/2026 10:35:50