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IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.5 OF 2026

SHAILA DAMODAR SINAI BORKAR
AND ANR

....PETITIONERS

Versus

THE OFFICER INCHARGE,
POLICE INSPECTOR, PONDA
AND 2 ORS

.... RESPONDENTS

Ms. A. Kuvelkar, Advocate for the Petitioners.

Mr. N. Vaze, Additional Public Prosecutor for State.

Mr. Kabir Sabnis, Advocate for Respondent No.3.

CORAM : ASHISH S. CHAVAN, J.

DATE : 16th FEBRUARY 2026

P.C.:

1. Mr. Vaze, learned Additional Public Prosecutor has placed on record the Judgment of the Hon'ble Supreme Court in the matter of ***Santhakumari and Others Vs. State of Tamil Nadu and Another¹***. He submits that in the impugned Order dated 20.08.2025, the Revisional Court did not grant an opportunity to the proposed accused to be heard while dealing with the Revision Application of the Complainant challenging

¹ (2023) 15 SCC 440

the dismissal of his application under Section 156(3) of the Code of Criminal Procedure. He further submits that the aforesaid Judgment squarely covers this issue and is germane in deciding the present Criminal Writ Petition.

2. Mr. Sabnis, learned Counsel on behalf of Respondent No.3 seeks some time to take instructions. Time as prayed for is granted. Mr. Sabnis has filed a reply on behalf of Respondent No.3. Copy thereof is supplied to the learned Counsel for the Petitioners.

3. List the matter on 23.02.2026.

ASHISH S. CHAVAN, J.