



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.20 OF 2026

JOSEPH B BRAGANZA AND ANR

... PETITIONERS

Versus

STATE OF GOA THROUGH CHIEF
SECRETARY AND 6 OTHERS

... RESPONDENTS

Mr. Vedraj Toraskar, Advocate for Petitioner No.2.

Mr. Shailendra G. Bhole, Public Prosecutor for Respondents
No.1 and 5.

Mr. Devidas J. Pangam, Advocate General with Ms. Maria
Simone J. Correia, Additional Government Advocate for the
Respondent State.

**CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.**

DATED :- 18th March, 2026

ORAL ORDER:

1. Registry to waive office objections and register the matter.
2. The Petitioners have, today, filed an application requesting for grant of permission to withdraw this Petition with leave to file a fresh Petition on similar subject matter. The application is under the signature of the two Petitioners. The Petitioners are not present today.
3. The reliefs sought in the Petition is for conducting an enquiry

into a pending application under Section 340 Cr.P.C before the JMFC, Mapusa. In addition, the Petitioner has sought various other reliefs, which include seeking stay of all proceedings of the Petitioners pending before the Single Bench and before any Single Judge or before Division Bench of this Court, until the final conclusion of the application under 340 Cr.P.C pending before the Magistrate; further direction is sought to the said Magistrate to complete the proceedings under Section 340 Cr.P.C in a time-bound fashion and during such proceedings, to exempt the Petitioners from appearing before the Magistrate.

4. On going through the reliefs sought in the Petition, the same are absolutely untenable. There would be no question of this Court giving any directions to stay the Petitioners' pending proceedings, which we believe are at least 5, filed before the Division Bench and before the Single Bench of this Court, till the disposal of the application under Section 340 Cr.P.C. The said applications are standalone proceedings, and in such proceedings, it would be incumbent for the Petitioner to appear and, if called upon, to depose in the matter. We are informed that the application is listed on 23.03.2026 before the concerned Magistrate for arguments.

5. In this view of the matter, the present Petition is dismissed. There is no question of granting leave to the Petitioners to refile this Petition on the very same grounds which are mentioned therein, since

such grounds are otherwise not available to the Petitioners.

The Petition stands disposed of on merits.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.