



vinita

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL WRIT PETITION NO.31 OF 2026

AVELINE J. PINTO

... PETITIONER

Versus

STATE OF GOA THR

PUBLIC PROSECUTOR

... RESPONDENT

Mr Vibhav Amonkar and Mr Omkar Bhawe, Advocates for the Petitioner.
Mr Preetam Talaulikar, Addl. Public Prosecutor for the Respondent.

CORAM:- AMIT S. JAMSANDEKAR, J.

DATED :-18th April, 2026

P.C.

1. Heard Mr. Amonkar, learned Counsel for the Petitioner.
2. It is alleged by the Petitioner that the application proposed to be filed under Section 313 of the Cr.P.C. was not taken on record by the trial Court.
3. By the present petition, the Petitioner seeks a direction to the trial Court to take the said application on record and decide the same in accordance with law.
4. The learned Additional Public Prosecutor has vehemently opposed the petition, contending that the application filed by the Petitioner is not maintainable and lacks the necessary particulars. It is further submitted that the allegations made against the trial Court are unfounded.

5. Without going into the rival submissions and allegations, the present petition can be disposed of by issuing the following directions:
 - (i) The Petitioner shall present the application, being Exh.A to the Petition, before the trial Court within a period of one week from today.
 - (ii) The trial Court shall decide the maintainability of the said application in accordance with law, after considering the objections, if any, that may be raised by the Prosecution.
6. In view of the above directions, all allegations made by the Petitioner against the trial Court stand unconditionally withdrawn.
7. **The Petition is disposed of.** No order as to costs.
8. 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.