



IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL WRIT PETITION NO.316 OF 2026 (F)

1. MR. VILAS VISHWANATH NAIK,

Son of Shri. Vishwanath Naik,
67 years of age, Married, Retired, Indian
National and R/o H. No. 133, Nachnolwada,
Advalpal, Bicholim-Goa.

2. MR. VISHAL NAIK,

Son of Mr. Vilas V. Naik,
38 years of age, Married, In service,
Indian National and R/o H. No. 133,
Nachnolwada, Advalpal, Bicholim-Goa.

3. MR. VIJAY NAIK,

Son of Mr. Vilas V. Naik,
36 years of age, Married, In service,
Indian National and R/o H. No. 133,
Nachnolwada, Advalpal,
Bicholim-Goa.

4. MR. GURUDAS NAIK,

Son of Shri. Shiva Naik,
63 years of age, Married, Retired,
Indian National and R/at H. No.702/2,
Kelwada, Pirna, Near Pandurang Temple,
P.O, Colvalem, Bardez, North-Goa.

... PETITIONERS.

~ VERSUS ~

STATE OF GOA,

Through Public Prosecutor,
Porvorim, Bardez-Goa.

...RESPONDENT

APPEARANCES:

for the Petitioners

***Mr. Deepak Gaonkar with
Mr. Samir Gaonkar, Advocates.***

for the Respondent

***Mr. Pravin Faldessai, Additional Public
Prosecutor.***

CORAM : AMIT S. JAMSANDEKAR, J.

Dated : 9th April 2026

JUDGMENT

Registry is directed to waive all the office objections and register the present Petition.

2. Heard Mr. Gaonkar, learned Counsel appearing for the Petitioner.

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3. Rule. Rule is made returnable forthwith at the request and by consent of the Learned Counsel appearing for the parties. Mr. Faldessai, learned Addl. Public Prosecutor appearing for the Respondents, waives service.
4. By the present Petition, the Petitioner is seeking relief in terms of prayer clause (a), which reads as follows:

“a) That this Hon'ble Court be pleased to issue an appropriate Writ, Order or Direction, thereby directing the Court of the Judicial Magistrate First Class, ‘C’ Court at Bicholim-Goa, to decide and/or dispose of Criminal Case No.130/S/2018/C in a time-bound manner within a period of 6 (six) months or such other time frame as this Hon'ble Court may be pleased to direct.”

5. The circumstances in which the Petition is filed and as narrated by Mr. Gaonkar, are as follows

- I. The Petitioners are working in the Police Department of the State of Goa. In view thereof, during their service tenure, Criminal Case No.130/2018/C came to be registered against them, alleging offences of unlawful assembly under Sections 143, 147, 323, 324, 504 read with Section 149 of the IPC.

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- II. It is submitted by Mr. Gaonkar that the said criminal case has been pending since 2018, and only one witness has been examined on behalf of the prosecution. The pendency of the criminal case has severely affected the service conditions/ promotional prospects of the Petitioners. It is further submitted that Petitioner Nos. 1 and 4 have already retired from service without any promotion. This situation has severely affected the service conditions and personal liberty of the Petitioners.
6. Mr. Faldessai fairly submits that the prosecution has no objection if the trial of the pending case is expedited.
7. In view thereof, considering the facts and circumstances of the present case, the Petition is allowed in terms of prayer clause (a), which reads as follows:
- “a) That this Hon'ble Court be pleased to issue an appropriate Writ, Order or Direction, thereby directing the Court of the Judicial Magistrate First Class, ‘C’ Court at Bicholim-Goa, to decide and/or dispose of Criminal Case No.130/S/2018/C in a time-bound manner within a period of 6 (six) months or such other time frame as this Hon'ble Court may be pleased to direct.”

8. Mr. Gaonkar, on instructions, submits that all the Petitioners shall appear before the learned Magistrate and co-operate in the proceedings. The statement made by Mr. Gaonkar on behalf of the Petitioners is accepted and recorded as an undertaking to this Court.
9. Rule is made absolute in the above terms, and the Petition is disposed of.

[AMIT S. JAMSANDEKAR, J.]