



Jose

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO.48 OF 2024

Correction carried
out as per order
dated 16.10.2024
sd/-

~~‘A’~~ XXXXXXXX

... Petitioner

Versus

THE STATE OF GOA, THR. THE
PUBLIC PROSECUTOR AND 2 ORS.

... Respondents

Ms K. Dahiya with Mr L. Soni and Ms R. Rodrigues, Advocates
for the Petitioner.

Mr Pravin Faldessai, Additional Public Prosecutor for
Respondent Nos.1 and 2.

Mr Nigel da Costa Frias with Ms Barbara Andrade, Advocates
for Respondent No.3.

**CORAM: M.S. KARNIK &
VALMIKI MENEZES, JJ.**

DATED: 19th September, 2024

P.C.:

1. Heard learned Counsel Ms K. Dahiya for the petitioner, Shri Faldessai for respondent Nos.1 and 2 and Mr Costa Frias for respondent No.3.

2. After the matter was argued for some time, we requested the petitioner and respondent No.3 to find out if the matter could be resolved. In deference to the suggestion of this Court, the parties fairly submitted that every possible attempt will be made to resolve the issue. We are not referring to the facts in detail. Suffice it to observe that

pursuant to the filing of the FIR, the charge-sheet has been filed.

3. By communication dated 19.09.2024 addressed to the respondent No.3, the petitioner conveyed his sincerest apologies for the occurrence on 10.08.2023 and further stated that he had no intention of causing any discomfort or distress to the respondent No.3. In the communication, it is stated that he is having the highest regard for respondent No.3 as a colleague and wished that the petitioner and respondent No.3 move forward with utmost respect for each other. The communication is taken on record and marked as Exhibit 'X' for identification.

4. Mr Costa Frias, on instructions of the respondent No.3 who is personally present in the Court, in all fairness in the light of this communication dated 19.09.2024, expressed satisfaction with the communication dated 19.09.2024 and submitted that she does not intend to precipitate the matter any further. Consequently, it is submitted by the learned Counsel for respondent No.3 that the respondent No.3. has no objection if the FIR is quashed. As a result, the report/charge-sheet filed is also quashed and set aside.

5. Having regard to the development which has taken place after filing of the report and in view of the deliberations between the petitioner and the respondent No.3, we find it in the interest of justice to allow this petition in terms of prayer clause (a). We are satisfied that this order can be passed in view of the principles laid down by the Supreme Court in *Gian Singh vs. State of Punjab and Anr.*; (2012) 10 SCC 303.

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6. As the issue between the parties is resolved, the identities of petitioner and respondent No.3 be masked. The name of the petitioner ~~'XXXXXXXX'~~ be masked as ~~'A'~~ and the name of respondent No.3 be masked as ~~'AA'~~.
7. As the said communication dated 19.09.2024 is personal to the parties, it shall be kept confidential.
8. Petition is accordingly disposed of.

VALMIKI MENEZES, J.

M.S. KARNIK, J.