

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO.7 OF 2024
IN
CRIMINAL REVISION APPLICATION NO.10 OF 2024

KRISHNA S. VERLEKAR @
ARUN VERLEKAR

..... Applicant

Versus

SALES DA VEIGA COUTINHO AND ANR. Respondents

Mr A. Priolkar, Advocate for the Applicant.

Mr S. G. Bhobe, Public Prosecutor for the State.

CORAM: M. S. SONAK, J.

DATED : 3rd MAY 2024

P.C.:

1. Heard Mr A. Priolkar, learned counsel for the Applicant and Mr S. G. Bhobe, learned Public Prosecutor for the State.
2. After this Court made its orders dated 05.04.2024 and 12.04.2024, notice issued to the first Respondent was returned with the remark that the first Respondent had expired on 07.04.2024.
3. The first Respondent's widow Mrs Maria Dos Anjos Veiga Gracias Coutinho is present in the Court. At the request of Mr Priolkar, she is substituted in place of the first Respondent.

4. Mr Priolkar submits that the Applicant/Petitioner has deposited in this Court, an amount of ₹1,00,000/-, as against the cheque and the compensation amount of ₹40,000/-. On instructions, he states that the Applicant/Petitioner has no objection to Mrs Maria Coutinho withdrawing this entire amount. He, however, submits that the offence now be compounded and the Applicant/Petitioner may be acquitted. He relies on *Damodar S. Prabhu Vs Sayed Babalal*¹.

5. The learned Public Prosecutor states that Mr Priolkar's suggestion could be accepted. The learned PP also states that he has explained the position to Mrs Coutinho and she is agreeable to the compounding. Mrs Coutinho is present in the Court and she has been explained the position. She is agreeable to withdraw the amount of ₹1,00,000/- deposited by the Applicant/Petitioner in this Court and compounding of offence proposed by Mr Priolkar.

6. Accordingly, Mrs Coutinho is permitted to withdraw the amount of ₹1,00,000/- together with interest, if any, that has accrued on this amount. Mrs Coutinho should share the bank details and the identity documents with the Registrar (Judicial) and the registry to then transfer this amount directly into Mrs Coutinho's bank account. This exercise should be completed as early as possible and preferably by 10.05.2024.

¹ AIR 2010 SC 1907

7. Mr Priolkar's submission is accepted. The offence for which the Applicant/Petitioner was charged has been compounded. The Applicant/Petitioner is hereby acquitted post such compounding.

8. This matter is closed and Criminal Misc. Application No.7 of 2024 and Criminal Revision Application No.10 of 2024 are disposed of.

9. The order dated 12.04.2024 made in this matter should be sent to the PDJs of North and South Goa, if not already sent. The two PDJs are requested to circulate a copy of the order dated 12.04.2024 made in these proceedings to all the Judges within their Districts.

10. This Court expressed its gratitude to Mr Bhobe, learned Public Prosecutor for his fairness and guidance.

M. S. SONAK, J.