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IN THE HIGH COURT OF BOMBAY AT GOA

**CRIMINAL MISC. APPLICATION NO.930 OF 2023 (F)
WITH
CRIMINAL APPEAL NO.929 OF 2023 (F)**

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RAYMOND FERNANDES (IN JUDICIAL
CUSTODY AT CENTRAL JAIL COLVALE
THR NEXT FRIEND SANTANA FERNANDES) ... APPLICANT

Versus

THE STATE OF GOA THR POLICE
INSPECTOR, CUNCOLIM POLICE STATION ... RESPONDENT

WITH

CRIMINAL APPEAL NO.929 OF 2023 (F)

RAYMOND FERNANDES (IN JUDICIAL
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Versus

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INSPECTOR, CUNCOLIM POLICE STATION ... RESPONDENT

Mr R.Menezes and Mr N. Fernandes, Advocate for the applicant.
Mr S. Karpe, Addl. Public Prosecutor for the respondent.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 9th January, 2024

P.C.

Heard Mr R. Menezes, learned counsel for the applicant and Mr S. Karpe, learned Addl. Public Prosecutor for the respondents.

2. In view of the observations of the learned Single Judge of this Court sitting at Nagpur in Rohit Bhagar VS State of Maharashtra in Criminal Appeal (ST) No. 8953 of 2023 decided on 10.11.2023 relying upon decision on Arjun Kishanrao Malge Vs State of

Maharashtra and others, (2021 SCC Online Bom 551) (Division Bench) at the principal seat, notice is required to be issued to the victim through her natural guardian before considering even the application along with appeal.

3. Accordingly, issue notice to the victim through natural guardian returnable on 23.1.2024. Notice to the victim shall be served through concerned Police Inspector of the police station.

BHARAT P. DESHPANDE, J.