

**IN THE HIGH COURT OF BOMBAY AT GOA****LD-VC-CRI-43-2020**

Kashinath J. Shetye

... Petitioner

Vs

The Police Inspector,  
Anti Corruption Bureau & Anr.

... Respondents

Petitioner in person.

Shri Gaurish Nagvekar, Additional Public Prosecutor for the Respondents.

**Coram :- DAMA SESHADRI NAIDU, J.****Date :- 6<sup>th</sup> OCTOBER 2020****P.C. :**

Shri Kashinath Shetye, pro se, has been prosecuting this case for the last nine years. This case essentially concerns the then Election Commissioner signing an election notification on a particular date in 2011 when he was on leave.

2. In the above background, Kashinath complained to the police concerned to have a crime registered against the Election Commissioner for the alleged offences under sections 13(1)(c), 13(1)(d) and 13(1)(e) of the Prevention of Corruption Act, and sections 409, 420, 468, 471, 120(B) and 34 of the Indian Penal Code. As the police have not registered the crime, Kashinath followed the remedial measures provided under the statute. He invoked section 156 of Cr PC., and the Judicial Magistrate of First Class, 'D' Court at Panaji, directed the jurisdictional police to register a crime.

3. Aggrieved, the State approached this Court and invited judgment, dated 05.10.2015, in Criminal Writ Petition No.139 of 2011. This Court remanded the matter to the trial Court. On remand, the trial Court

dismissed Kashinath's application on 19/01/2019. Then, he filed Criminal Revision Application No.14 of 2019 before the Sessions Judge, North Goa, Panaji, but could not succeed. It was dismissed on 04/01/2020. Aggrieved, Kashinath has filed this Criminal Writ Petition.

4. After arguing for a while, Shri Shetye has sought the Court's leave to withdraw this application. It was in the context that the Court had acknowledged the pro bono litigation Kashinath thus far carried on but felt he should not pursue frivolous causes. He has, then, requested the Court's leave to withdraw the Criminal Writ Petition. I grant the leave. Yet, before doing so, I also appreciate the sagacity Shri Shetye has displayed in giving up causes that are frivolous.

I, therefore, close this Writ Petition as withdrawn.

**DAMA SESHADRI NAIDU, J.**

NH