

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 143 of 2026**

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SUNITADEVI NIRANJAN AGARWAL

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VIVEK V BHAMARE(6710) for the Applicant(s) No. 1

MS CHETANA SHAH, LD.ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 26/02/2026

ORAL ORDER

1. Heard learned advocate Mr.Vivek Bhamare appearing for the applicant-accused and learned Additional Public Prosecutor Ms.Chetana Shah appearing for the respondent No.1.

2. The Court has perused the entire material, along with the impugned FIR. The Court has also perused the original investigation papers placed on record by the Investigating Officer.

3. It prima facie appears that the applicant is neither a drawer nor a signatory of the cheque in question. Hence, she is not responsible for day-to-day affairs of the company.

On perusal of the Registrar of Companies (ROC) records, it appears that the applicant is a Non-Executive Director. However, without considering the material on record, the learned Magistrate has issued process against the present applicant.

4. Issue **NOTICE** to the respondents, making it returnable on 07.04.2026.

5. Learned APP Ms.Chetana Shah waives service of Notice for and on behalf of the respondent no.1 – State of Gujarat.

6. In the meantime, let there be an ad-interim relief, in terms of Para 8(C) of the application qua the present applicant only, till the next date of hearing.

Direct service is permitted.

(VIMAL K. VYAS, J)

DIPTI PATEL