

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 1964 of 2026**

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BHAVESHBHAI BACHUBHAI DANGAR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR PRATIK Y JASANI(5325) for the Applicant(s) No. 1

MS. KRINA P. CALLA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 01/04/2026

ORAL ORDER

1. Heard Mr. Pratik Jasani, learned advocate appearing for the applicants and learned APP Ms. Krina Calla appearing for the respondent No.1 - State. Perused the entire materials on record along with the impugned FIR.

2. It *prima facie* appears that the respondent No.2 i.e. the original complainant, prior to the filing of the impugned FIR, had filed a private complaint being Criminal Inquiry No.915 of 2021 before the Court of the learned Chief Judicial Magistrate at Rajkot with the same allegations. It also appears that the learned Magistrate, after due inquiry and considering the entire materials placed before him, had dismissed the same under Section 203 of the Criminal Procedure Code vide order dated 17.09.2022 passed in Criminal Inquiry No.915 of 2021.

Admittedly, the same was not challenged by the respondent No.2 i.e. the original complainant. It also appears that at the time of lodging of the impugned FIR, the original complainant had suppressed this material fact. It appears that considering the same, the Coordinate Bench of this Court, had protected the co-accused, namely, Kalubhai Virjibhai Pansuriya vide order dated 01.03.2024 passed in Special Criminal Application (Quashing) No.10948 of 2022.

3. In view of the aforesaid, issue **NOTICE** to the respondents, making it returnable on **29.04.2026**.

4. Learned APP Ms. Krina Calla waives service of notice for and on behalf of respondent No.1 - State.

5. In the meantime, let there be an ad-interim relief in terms of paragraph 10(B) qua the present applicant, till the next date of hearing.

AMAR SINGH

(VIMAL K. VYAS, J)