

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 401 of 2023**

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ATULKUMAR SINGH RAJPUT
Versus
STATE OF GUJARAT

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Appearance:

MR PM DAVE(263) for the Applicant(s) No. 1

VISHAL K ANANDJIWALA(7798) for the Applicant(s) No. 1

MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 11/01/2023

ORAL ORDER

1. Heard learned advocate Mr. V.K. Anandjiwala for the petitioner.
2. By way of this petition, the petitioner has prayed for following reliefs:

“16. (i) Admit this petition;

(ii) Issue an appropriate writ, order or direction in the nature of certiorari the Impugned FIRs/Complaints described in paragraph 2 of the present Petition in tabular form or any other FIR/Criminal Complaint filed or inquiry or investigation instituted or to be instituted in the future in relation to the Petitioner arising out of the same incident/occurrence;

(iii) Alternatively, issue an appropriate writ, order or direction in the nature of transfer and club all FIRS

including the Impugned FIRs/Criminal Complaints described in paragraph 2 of present petition in tabular form, and any other FIR/Criminal Complaint filed or inquiry or investigation instituted or to be instituted in the future in relation to the Petitioner arising out of same incident/ occurrence;

(iv) Issue an appropriate writ, order or direction in the nature of mandamus restraining Respondents and/or any other authority to take any coercive steps pursuant to the Impugned FIRs/Criminal Complaints described in paragraph 2 of the present Petition in tabular form or any other FIR/Criminal Complaint filed or inquiry or investigation instituted or to be instituted in the future in relation to the Petitioner arising out of same incident/ occurrence:

(v) Issue a writ of mandamus or any other writ of appropriate nature to the effect that no cognizance of any complaint would be taken by any court nor any FIR registered by the police in relation to or arising out of the same incident/ occurrence;

(vi) that Your Lordships be pleased stay the further and subsequent proceedings pursuant to the Impugned FIRs/Criminal Complaints described in paragraph 2 of the present Petition in tabular form or any other FIR/Criminal Complaint filed or inquiry or investigation instituted or to be instituted in the future in relation to the Petitioner arising out of same incident/ occurrence;

(vii) Your Lordships be pleased to pass any such other and/or further orders that may be thought just and proper, in the facts and circumstances of the present case.

3. Considering the issue raised in the petition, let notice be issued, returnable on **10.03.2023**. Learned APP waives service of notice on behalf of respondent-State.

KUMAR ALOK

(ILESH J. VORA,J)