

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 346 of 2022**

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JAGDEV RAMPRASAD SHARMA
Versus
STATE OF GUJARAT

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Appearance:

RUTVIK H MODI(8236) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR LB DABHI, APP (2) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 12/01/2022**ORAL ORDER**

Heard learned advocate for the applicant. It is submitted that the impugned FIR is nothing but a gross abuse of the process of the Court. The grievance of the complainant in the impugned FIR is that though he has send the goods to the applicant-accused, the applicant has not made the payment of the said goods and thereby he has committed the alleged offences. It is further submitted that the transaction entered into between the parties is commercial in nature.

In view of the aforesaid, Notice returnable on 15.4.2022. Learned APP waives service of notice for respondent-state. Till next date of hearing, no coercive steps shall be taken against the applicant. However, it is open for the investigating agency to proceed further with the investigation.

(VIPUL M. PANCHOLI, J)

SRILATHA