

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 1029 of 2026**

=====

KISHORBHAI MAGANBHAI SERASIYA

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

MR ASHISH M DAGLI(2203) for the Applicant(s) No. 1

MS. ASMITA PATEL, APP for the Respondent(s) No. 1

=====

CORAM:**HONOURABLE MR. JUSTICE VIMAL K. VYAS****Date : 20/01/2026****ORAL ORDER**

1. Heard learned advocate Mr. Ashish Dagli appearing for the applicant and learned APP Ms. Asmita Patel appearing for the respondent No.1- State.

2. Perused the entire material placed on the record. This Court has also perused the original investigation papers. It appears that the so called offence was committed during the period from 01.01.2020 to 31.12.2020 and the FIR is registered on 18.12.2025, i.e. after the a period of five years. It prima facie appears that the case of the prosecution is based upon the documentary evidence.

3. Learned APP Ms. Asmita Patel has tendered an explanation of the concerned Investigating Officer. The same is ordered to be taken on record. The concerned Investigating Officer is instructed to be more careful in the future.

4. Issue **NOTICE** to the respondents, making it returnable on 09.03.2026.

5. Learned APP Ms. Asmita Patel waives service of notice for and on behalf of the respondent no.1 - State of Gujarat. The respondent no.2 shall be served directly through the Investigating Officer of the concerned Police Station.

6. In the meantime, the investigation may continue, however, no coercive steps to be taken against the applicant, till the returnable date. The applicant is directed to co-operate in the investigation.

(VIMAL K. VYAS, J)

prk