

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 993 of 2025**

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VIPUL THAKORBHAI PATEL & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VIRAT G POPAT(3710) for the Applicant(s) No. 1,2,3

MS JYOTI BHATT, APP for the Respondent – State

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CORAM: HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 23/01/2025

ORAL ORDER

Learned advocate Mr.Virat Popat for the applicants submits that the transactions are of civil nature and the complainant is trying to give criminal colour to that; and that the proceedings are pending before the National Company Law Tribunal; and that mere assertion of the documents is not sufficient; and that the complainant is aware about such documents from the year 2015, but the impugned FIR is filed after a period of about ten years, which does not inspire confidence; and that continuation of proceeding qua the impugned FIR will amount to abuse of process of law.

Learned APP for the State has opposed this application. He submits that the investigation is at very

nascent stage and is going on; and that no interference be called out for by this Court at this stage.

Considering the averments made in this application and also considering the submissions made at the bar, the matter requires further consideration.

Notice returnable on 18.03.2205. Learned APP waives service of notice for and on behalf of the respondent – State. It is ordered that no coercive actions shall be taken against the applicants only, qua the impugned FIR, till the next date of hearing. However, the applicants shall cooperate the process of investigation.

Direct service, through the concerned police station, is permitted.

M.H. DAVE

(SANDEEP N. BHATT,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: MAHESHKUMAR HASMUKHLAL DAVE(HC00193), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 23/01/2025 14:59:56