

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 1751 of 2026****With
CRIMINAL MISC.APPLICATION (FOR STAY) NO. 1 of 2026
In R/CRIMINAL MISC.APPLICATION NO. 1751 of 2026**

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HARSHADKUMAR SOMBHAI PATEL & ORS.**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**MR P P MAJMUDAR(5284) for the Applicant(s) No. 1,2,3****MS NIYATI B KATIRA(5095) for the Applicant(s) No. 1,2,3****MR. MANAN MAHETA, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS**Date : 18/03/2026****ORAL ORDER****ORDER in Criminal Misc. Application No. 1751 of 2026**

1. Heard Mr. P.P. Majmudar, learned advocate appearing for the applicants and learned APP Mr. Manan Maheta appearing for the respondent No.1 - State. Perused the entire materials on record along with the impugned FIR.

2. It *prima facie* appears that for the alleged offence occurred on 30.05.2025, the impugned FIR is registered on 28.11.2025 i.e. after a period of approx. six months, for which, there is no explanation offered. On bare perusal of the FIR, *prima facie* it appears that the dispute between the parties is

pertaining to commercial transactions and therefore, the same appears to be of a civil nature. In view of the aforesaid, in the considered opinion of this Court, the petition deserves consideration.

3. Hence, RULE returnable on 11.06.2026.

4. Learned APP Mr. Manan Maheta waives service of notice of Rule for and on behalf of respondent No.1 - State.

5. In the meantime, let there be an ad-interim relief in terms of paragraph 30(B) qua the present applicants, till the next date of hearing.

ORDER in Criminal Misc. Application (for stay) No. 1 of 2026

In view of the order passed in the main application, the present application for stay does not survive, and the same stands disposed accordingly.

AMAR SINGH

(VIMAL K. VYAS, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMAR SINGH(HC01081), PRIVATE SECRETARY, at High Court of Gujarat on 18/03/2026 17:31:15