

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 1538 of 2026

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SHREE RAJMOTI INDUSTRIES (PARTNERSHIP FIRM) & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR P.K.JANI, LD. SENIOR ADVOCATE WITH MR HARDIK C RAWAL(719)
for the Applicant(s) No. 1,2,3
MR.DEVARSHI H. RAWAL(16355) for the Applicant(s) No. 1,2,3
MR MANAN MAHETA, LD.APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 25/03/2026
ORAL ORDER

1. Heard learned Senior Advocate Mr.P.K.Jani assisted by Mr.Hardik Rawal, learned advocate appearing for the applicants and learned Additional Public Prosecutor Mr.Manan Maheta appearing for the respondent No.1.

2. Learned Senior Advocate Mr.P.K.Jani has submitted that the present applicants have issued in all nine cheques in favour of the respondent No.2 in response to a 'One Time Settlement' (OTS) proposed and conveyed by the applicants to the respondent No.2- Bank on 23.08.2018. The OTS proposal dated 23.08.2018, reads thus:

"We are enclosing along with OTS proposal discussed in the office of zonal manager Shri Manojdas sir. We are also enclosing post-dated cheques for that as per schedule given in our proposal.

We request you to inform us before depositing cheques if our proposal is accepted and sanction order is given to us.

If our proposal is not accepted, please return all above cheques to us.”

3. Learned Senior Advocate Mr.P.K.Jani has submitted that the respondent No.2 has not communicated to the applicants, whether the same has been accepted or not. He has further submitted that the cheques, which were given to the respondent No.2, were subject to acceptance of the ‘One Time Settlement’. It is submitted that the respondent No.2 has deposited eight cheques out of the total nine cheques issued by the applicants. Learned Senior Advocate Mr.P.K.Jani, therefore, submits that depositing of the cheques without acceptance of the ‘One Time Settlement’, is illegal.

4. Issue **NOTICE** to the respondents, making it returnable on 13.04.2026.

5. Learned APP Mr.Manan Maheta waives service of Notice for and on behalf of the respondent no.1 – State of Gujarat.

6. In the meantime, let there be an ad-interim relief in terms of Para 8(C) of the application qua the applicants, till the next date of hearing.

Direct service is permitted today.

(VIMAL K. VYAS, J)

DIPTI PATEL