

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (FOR CHALLENGING
VIRES/ULTRA VIRES) NO. 947 of 2024**

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RAJKUMAR RAMNARAYAN MISHRA & ORS.**Versus****STATE OF GUJARAT & ORS.**

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Appearance:**ALPESH D ARYA(8839) for the Applicant(s) No. 1,2,3,4,5,6****CHETAN D KARIYA(8819) for the Applicant(s) No. 1,2,3,4,5,6****MR KEVAL R DHOLAKIYA(12277) for the Respondent(s) No. 3****MR P P MAJMUDAR(5284) for the Respondent(s) No. 3****MR HARDIK A DAVE, PUBLIC PROSECUTOR for the Respondent(s) No. 4**

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CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE**SUNITA AGARWAL****and****HONOURABLE MR.JUSTICE D.N.RAY****Date : 27/01/2026****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1. The affidavit of the Under Secretary, Revenue Department dated 27.1.2026 filed in the Court today has been placed by Mr.Hardik A.Dave, learned Public Prosecutor appearing for the respondent State, is taken on record. By means of the said affidavit, it is sought to be stated that the inquiry as directed by this Court has commenced from 11.12.2025 in light of the decision taken by the Chief Secretary. The inquiry is under progress and request is made to grant further time to conclude the same and place the inquiry report before the Chief Secretary, Government of

Gujarat for its decision. In view of the request made on behalf of the Inquiry Officer, the matter is posted on 3.3.2026 to enable the Inquiry Officer to complete the inquiry and submit the report to the Chief Secretary to take an appropriate decision.

2. As regards the contention of learned counsel for the petitioners seeking for quashing of the chargesheet, suffice it to say that the main relief sought in the writ petition is for quashing and setting aside of the FIR and the interim relief is to stay further proceedings / investigation of the FIR. As with the submission of the chargesheet before the competent court, the investigation is already completed, it is open for the petitioners to avail the appropriate remedy seeking for quashing of the chargesheet. The oral prayer made before us for quashing of the chargesheet in light of the prayer 20(b) of the writ petition, cannot be entertained. Liberty rests with the petitioners to approach the competent Court and bring the decision passed by us to seek for quashing of the chargesheet.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

H.M. PATHAN