

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 2221 of 2026

With
R/CRIMINAL MISC.APPLICATION NO. 1692 of 2026
With
R/CRIMINAL MISC.APPLICATION NO. 1703 of 2026
With
R/CRIMINAL MISC.APPLICATION NO. 1782 of 2026
With
R/CRIMINAL MISC.APPLICATION NO. 2128 of 2026

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SUNITADEVI NIRANJAN AGARWAL

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR. SUDHANSHU A JHA(8345) for the Applicant(s) No. 1
MR. HARDIK D MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 12/06/2026

ORAL ORDER

1. Learned advocate Mr. Jha submits that the accused No.3 has issued the cheque as per the allegation made in the complaint which is dishonored and against which the complaint under section 138 of the N.I.Act came to be filed. It is further submitted that there is no material on record to indicate that the present applicants, who are non-executive directors of the company, were in any manner responsible for the issuance of the cheques or were in charge of the day-to-day affairs of the company. According to the learned advocate, the role of the applicants was limited to that of non-executive directors,

and therefore, they cannot be held liable for the alleged dishonour of the cheque. It is also submitted that, in identically situated cases, relief has been granted to the present applicants by this Court vide orders dated 26.02.2026 and 08.04.2026 passed in Criminal Misc. Application No.180 of 2026 and Criminal Misc. Application No.8141 of 2026 respectively.

2. Considering the submissions, let Notice be issued, making it returnable on 01.07.2026.
3. Learned APP Mr. Mehta waives service of notice on behalf of the respondent-State.
4. To be heard with Criminal Misc. Application Nos. 8141 and 180 of 2026.
5. Ad-interim relief in terms of para 6 (B) is granted.

(M. K. THAKKER,J)

AMIT ITALIAN