

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 1219 of 2024**

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RAMESH CHANDRA PARTANI S/O HEERALAL PARTANI**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**MR MOHIT A GUPTA(8967) for the Applicant(s) No. 1****MR MANAN MAHETA, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 03/07/2025****ORAL ORDER**

By way of present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioner has prayed for quashing of the FIR being CR No.11191046230425 of 2023 registered with Airport Police Station, Ahmedabad City for the offences punishable under Sections 409, 420 and 114 of the Indian Penal Code, 1860 filed at the instance of respondent No.2.

Having heard learned advocate for the petitioner and learned APP for respondent No.1 – State of Gujarat and perusing the record, it appears that alleged incident took place between the years 2014 and 2023 whereas the impugned complaint is filed belatedly after 9 years in the year 2023. Further, the petitioner is the Director and Office Bearer of one cooperative society namely Unnati Industrial Co-Op. Society Ltd. which has purchased the goods worth Rs.1.89 Crore and odd during the period 2006 to 2014 from the complainant's company out of which Rs.1.69 Crore and odd was paid and to recover the

remaining amount, impugned FIR is filed. Admittedly, the dispute is concerning commercial transaction and is civil in nature and to recover the amount litigation is filed.

Considering the aforesaid fact, petition deserves consideration.

RULE returnable on **28.08.2025**.

Learned APP waives service of notice of Rule for and on behalf of the respondent – State of Gujarat.

There shall be **ad-interim relief** in terms of **paragraph No.12(b) *qua* the present petitioner.**

Direct Service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay