

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 1172 of 2025**

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DHVAL SUDHIRKUMAR THAKER

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MS CHINTANIKA P LUKHI(10189) for the Applicant(s) No. 1

SHREY H DAVE(8444) for the Applicant(s) No. 1

MR. MEET THAKKAR, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 27/01/2025****ORAL ORDER**

1. Mr. Shrey Dave, learned advocate for the petitioner, has, upon instructions, submitted that as per the Ledger Account issued by the bank, outstanding amount is Rs. 2,38,725/- as on 26.11.2020 as per the account statement issued by the bank. He has also submitted that the petitioner is willing to pay the interest accrued in addition to the aforementioned amount, , but not debited into the account if bank furnish that calculation for the period of more than four years i.e. from November, 2020 till the amount is deposited before the Bank and, therefore, he has submitted that the petitioner will approach the concerned bank within one week and after receiving calculation, he will deposit entire amount with

interest accrued with two weeks thereafter.

2. Upon the condition of payment of the entire calculated amount along with the accrued interest, issue **NOTICE**, making it returnable on 20.03.2025. Additionally, on the condition of payment as mentioned above, interim relief in terms of para 14(B) is granted until the next date of hearing.

3. It is further clarified that if the amount as indicated above is not paid within the prescribed time, the interim relief shall automatically be vacated.

4. It is surprising that the bank has provided a calculation only up to 2020 and has not included the calculation for the interest payable by the petitioner. Therefore, it is directed that the concerned office shall explain this lapse by filing a report before the next date of hearing, detailing why such a lapse occurred on the part of the bank.

5. At this stage, the learned advocate for the petitioner has submitted that the matter is kept for

hearing before the trial court tomorrow. Hence, the trial court shall adjourn the matter until the petitioner has deposited the amount as indicated above.

DIWAKAR SHUKLA

(SANDEEP N. BHATT,J)