

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 1267 of 2025**

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MANISHA RAKESH SARAWAGI
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR SAGAR D VAGHASIYA(13308) for the Applicant(s) No. 1
MR. MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 30/01/2025****ORAL ORDER**

1. Heard learned advocate Mr. Kartikey Kanojiya for learned advocate Mr. Sagar D. Vaghasiya for the petitioner and learned APP for the respondent – State.

2. Learned advocate for the petitioner has submitted that on bare reading of the FIR, which is filed under Sections 420 and 114 of the Indian Penal Code and the FIR is nothing but an attempt to convert the civil liability into a criminal liability. He has further submitted that this Court has considered the case of the co-accused of the same FIR in Special Criminal Application No.17069 of 2024 and issued rule and granted interim relief. Therefore, he prays for granting of any appropriate relief to the petitioner.

3. Learned APP has submitted that considering the averments made in the complaint, *prima facie* case is made out against the present petitioner as well as the investigation is at nascent stage and therefore, no interference of this Court is called for, at this stage.

4. Considering the averments made in the petition as well as submissions made at the bar, matter requires consideration.

5. Issue **Rule**, returnable on **17.02.2025**. Learned APP waives service of notice of rule for and on behalf of the respondent – State. Direct service is permitted.

6. In the meantime, no coercive action shall be taken against the present petitioner, however, the petitioner shall cooperate with the process of investigation.

SLOCK BAROT

(SANDEEP N. BHATT,J)