

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 2367 of 2026**

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PARMAR ROHITBHAI KHODABHAI
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR S D MOGHARIYA(11273) for the Applicant(s) No. 1
MR. JIGNESH D CHAVDA(14601) for the Applicant(s) No. 1
MR MANAN MAHETA, LD.ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 07/04/2026

ORAL ORDER

1. Heard learned advocate Mr.S.D.Moghariya appearing for the applicant-accused and learned Additional Public Prosecutor Mr.Manan Maheta appearing for the respondent No.1- State.
2. Perused the entire material on record along with the impugned FIR.
3. Considering the entire material on record, it prima facie appears that the present applicant is not named in the FIR and he has been arraigned as an accused solely on the basis of the statements of the co-accused.

4. It is submitted that charge-sheet has also been filed against the applicant. Considering the charge-sheet, there is no incriminating evidence on record suggesting the involvement of the present applicant in the alleged offence. Therefore, in the considered opinion of this court, the application deserves consideration.

5. Issue **RULE** to the respondents, making it returnable on 21.04.2026.

6. Learned APP Mr.Manan Maheta waives service of Rule for and on behalf of the respondent No.1 – State of Gujarat.

7. In the meantime, let there be an ad-interim relief, in terms of Para 15(B) of the application, till the next date of hearing.

(VIMAL K. VYAS, J)

DIPTI PATEL