

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 2866 of 2026****With****CRIMINAL MISC.APPLICATION (FOR AMENDMENT) NO. 1 of 2026
In R/CRIMINAL MISC.APPLICATION NO. 2866 of 2026**

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NANDUBEN GUNVANTBHAI VAGHELA**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**MR AB GATESHANIYA(3766) for the Applicant(s) No. 1****MR. TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS**Date : 29/04/2026****ORAL ORDER****Order in Criminal Misc. Application No. 1 of 2026 in Criminal
Misc. Application No.2866 of 2026:**

1. Rule. Learned APP Mr. Tirthraj Pandya waives service of rule for and on behalf of the respondent no.1 – State.
2. The present application has been filed by the applicant with the following prayer:

“5(A) Your Lordships may be pleased to allow this application by allowing the amendment as stated in para no. 2 of this application, by permitting the present applicant to insert paras 4.1, 8(BB), 8(CC) in the memo of application being Criminal Misc. Application No.2866 of 2026, in the interest of justice.”

3. Having gone through the averments made in the application as well as the submissions made by the learned advocate appearing for the applicant, the present application deserves to be allowed and the same is hereby allowed. The amendment as sought for in

the application is granted.

4. Rule made absolute to the aforesaid extent. Direct service is permitted.

Order in Criminal Misc. Application No.2866 of 2026:

1. Leave to amend. The same shall be carried out forthwith.
2. Heard learned advocate Mr. A.B. Gateshaniya appearing for the applicant and learned APP Mr. Tirthraj Pandya appearing for the respondent no.1- State.
3. Perused the entire material placed on the record along with the impugned FIR.
4. The Officer from the concerned Police Station namely, Sureshkumar Shempal, ASI, Jorawarnagar Police Station, is present before the Court; however, he has not produced the Pen Drive of the recording, as referred to in the impugned FIR.
5. The concerned Investigating Officer is directed to remain present before the Court along with all the original documentary evidence on the next date of hearing, without fail.
6. At the request of learned APP Mr. Tirthraj Pandya, the matter is adjourned to 07.05.2026.

(VIMAL K. VYAS, J)

prk