

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 1741 of 2022**

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DIVYESHKUMAR @ GHANSHYAM SHANKARBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

JAYDEEP H SINDHI for the Applicant(s) No. 1,2,3,4,5,6
for the Respondent(s) No. 2

MR LB DABHI APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 15/03/2022

ORAL ORDER

Learned advocate, Mr. Jaydeep Sindhi appearing for the applicants submitted that the impugned FIR is nothing but a gross abuse of the process of the Court, wherein the present applicants have been falsely implicated though they were not present at the time of incident. It was also submitted that so far as the present applicants are concerned, the ingredients of the alleged offence, prima facie, are not made out from the impugned FIR.

In view of the above submissions, issue **Notice** returnable on **5th July, 2022**. Learned APP waives service of notice for the Respondent – State of Gujarat.

Till the next date of hearing, it is open for the concerned IO / investigating agency to proceed further with the investigation, however, no coercive steps shall be taken against the applicants.

(VIPUL M. PANCHOLI, J.)

Gautam