

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 1550 of 2018**

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JAYESH MOHAN KRISHNANI - PROPRIETOR OF LAFIL ENGINEERS AND
ASSOCIATES,

Versus

STATE OF GUJARAT

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Appearance:

MR ZUBIN F BHARDA(159) for the PETITIONER(s) No. 1

MR D C SEJPAL(1322) for the RESPONDENT(s) No. 2

MR RUTVIJ OZA, LD.ADDL.PUBLIC PROSECUTOR(2) for the
RESPONDENT(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE A.J.DESAI**

Date : 21/03/2018

ORAL ORDER

1. Pursuant to the Notice issued by this Court, Mr.D.C.Sejpal, learned advocate has appeared for respondent No.2 - original complainant.

2. As per order dated 22/02/2018, record and proceedings of Criminal Case No.26610 of 2016 pending before learned 6th Additional Senior Civil Judge and Additional Chief Judicial Magistrate, Surat was called for and the same was placed before the Court. Various questions raised before this Court with regard to date of filing of the complaint u/s.138 of the Negotiable Instrument Act since legal issue is involved whether the complaint is filed within a period of limitation or not.

3. Having gone through the record and proceedings of the case, learned Principal District Judge, Surat is hereby

directed to inquire in the matter and after following the procedure, submit his report about correct date of filing of the complaint, before this Court on or before 30/04/2018. It would be open for the learned advocates appearing for the respective parties to assist the learned Principal District Judge, Surat.

4. Stand over to 03/05/2018. Office is directed to return the record and proceedings of the case directly to the Registrar, District and Sessions Court, Surat forthwith.

[A.J.DESAI,J.]

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