

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION NO. 1811 of 2019**

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HAJI ABDULRAHIM BAPUBHAI MOGAL

Versus

STATE OF GUJARAT &amp; 1 other(s)

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Appearance:

MS. SHIVANGI M RANA(7053) for the Applicant(s) No. 1

NOTICE NOT RECD BACK(3) for the Respondent(s) No. 2

MR MANAN MEHTA, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MS JUSTICE SONIA GOKANI****Date : 01/03/2019****ORAL ORDER**

1. On earlier occasion, this Court on 23.10.2018 in Special Criminal Application No.8996 of 2018 had directed the Investigating Officer to follow dictum of **Lalita Kumari Vs. Government of Uttar Pradesh and others reported in (2014) 2 SCC 1** as well as **State of Telangana Vs. Habib Abdullah Jeelani and others reported in (2017) 2 SCC 779**.

2. The Police Authorities since did not lodge the FIR, the petitioner is before this Court seeking a writ of mandamus for lodgment of the FIR. Today, the Court has heard Ms.Shivangi M. Rana, learned advocate for the petitioner and Mr.Manan Mehta, learned APP for the respondent-State, who has received instructions from the concerned Investigating Officer, has submitted that the proposed accused is ready to settle the dispute. Due to financial crunch, according to him, he was unable to



fulfill the premise. If the petitioner is willing to settle, there is a possibility of settlement.

3. The matter is adjourned to **07.03.2019** for the Court to know progress in the matter. The other and further orders with regard to the lodgment of the FIR shall be passed on the next date.

**(SONIA GOKANI, J)**

rakesh/