

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 3729 of 2022

=====

SAKILPAL GULJARILAL MEENA

Versus

STATE OF GUJARAT

=====

Appearance:

MR APURVA R KAPADIA(5012) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR RONAK RAVAL, PUBLIC PROSECUTOR for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 21/03/2022

ORAL ORDER

1. Learned Advocate, Mr. Kapadia, appearing for the applicant submitted that the impugned FIR is nothing, but, the gross abuse of the process of the Court, wherein, the applicant has been falsely implicated after the period of six years from the date of incident.

1.1 It was also submitted that so far as the present applicant is concerned, the ingredients of the alleged offence, *prima facie*, are not made out from the impugned FIR.

1.2 In support of his submissions, learned Advocate, Mr. Kapadia, referred to the documents placed on record.

2. In view of the aforesaid submissions, **NOTICE**, returnable on **26TH JULY, 2022**. Learned APP waives service of notice for the Respondent-State.

3. Till the next date of hearing, it shall be open to the concerned IO / investigating agency to proceed further with the investigation, however, charge-sheet shall not be filed without the **PRIOR** permission of this Court.

(VIPUL M. PANCHOLI, J)

UMESH/-