

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 3562 of 2026****With****CRIMINAL MISC.APPLICATION (FOR STAY) NO. 1 of 2026
In R/CRIMINAL MISC.APPLICATION NO. 3562 of 2026**

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RAGHUBHAI SONDABHAI RABARI (AAL)**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**LD. SR. ADV. NIRUPAM D. NANAVALTY assisted by MR VICKY B****MEHTA(5422) for the Applicant(s) No. 1****NOTICE SERVED for the Respondent(s) No. 2****MS MONALI BHATT, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER**Date : 06/08/2026****ORAL ORDER**

1. Learned Senior Advocate Mr. Nirupam D. Nanavaty assisted by learned advocate Mr. V. B. Mehta for the applicant submits that the allegations made in the FIR against the present applicant who was arraigned as an accused no.4 is that through the present applicant the complainant came into contact with accused no.1, 2 & 3. It is submitted that the complainant was in need of money and he borrowed the said amount from the accused no.1 to 3, and at the time of borrowing the amount, the sale deed was executed of the property which was in the name of the father of the complainant in favour of the son and wife of accused no.1. It is submitted that as per the allegations, at the time of executing the sale deed understanding arrived between the parties that upon making the payment of the borrowed

amount the sale deed would be reverted back in the name of the complainant. It is submitted that the present applicant did not play any role except introducing the accused no.1 to 3 with complainant. At the time of executing the sale deed also present applicant was not a party neither thereafter in the meeting which was arranged he was present. It is submitted that merely introducing the other person mainly accused no.1 to 3 out of which the accused no.2 is the brother-in-law of the present applicant it cannot be said that the present applicant was the offender of the alleged offence. It is submitted that subsequently upon non-making payment of the amount accused no.1 to 3 had transferred the land in favour of the other person where also the present applicant was not a party or signatory.

2. Though notice is served complainant did not remain present either in person or represented through an advocate.

3. Considering the submission, **Rule**. Learned APP waives service of Rule for and on behalf of the respondent – State.

4. Ad-interim relief in terms of para-14(C) is granted qua the present applicant.

5. List in seriatim.

6. In view of the order passed in the main matter, Cr.M.A. No. 1 of 2026 does not survive, and hence, disposed of accordingly.

(M. K. THAKKER,J)

AMIT ITALIAN

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIT DAHYABHAI ITALIAN(HCW0112), ENGLISH STENOGRAPHER GRADE ONE, at High Court of Gujarat on 10/08/2026 13:10:07