

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 2254 of 2024**

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DHARMESH DURLABBHAI PATEL & ANR.**Versus****STATE OF GUJARAT**

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Appearance:**MR. JAL SOLI UNAWALA, SR. COUNSEL WITH MR.NANDISH H****THACKAR(7008) for the Applicant(s) No. 1,2****MS SHRUTI PATHAK, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 21/03/2024****ORAL ORDER**

1. Heard Mr. Jal Soli Unwala, learned Senior Counsel assisted by Mr. Nandish Thackar, learned counsel for the petitioner and Ms.Shruti Pathak, learned APP for the respondent State.

2. By way of this petition, the petitioner has prayed for quashing and setting aside the order dated 19.01.2024 passed by learned 8th Additional District and Sessions Judge, Surat in Sessions Case No.1/2021.

3. Learned Senior Counsel for the petitioner submits that the petitioner is ready and willing to appear before the learned Sessions Court, Surat, tomorrow i.e. on 22.03.2024.

4. In view of the above, execution, operation and implementation of non-bailable warrant issued against the petitioner No.2 and consequential order dated 19.01.2024 passed by learned 8th Additional District and Sessions Judge, Surat in Sessions Case No.1/2021 against the petitioners are hereby stayed and proclamation dated 19.01.2024 qua both the petitioners are also

stayed till the next date of hearing.

5. Learned trial Court is directed to expedite the trial proceedings as expeditiously as possible in true letter and spirit and order passed by the Hon'ble Apex Court in SLP No.9135/2021, as 113 witnesses are required to be examined and some co-accused have preferred quashing petitions i.e. Criminal Misc. Application Nos.14267/2020, 15159/2020 and Special Criminal Application No.5938/2020 which are pending before adjudication before co-ordinate Bench of this Court and original complainant has also preferred an application for further investigation which is also under progress as submitted by the investigating officer.

6. In view of the above, learned trial Court is directed to examine other material witnesses as expeditiously as possible on day to day basis. List the matter on **06.05.2024**.

Direct service is permitted **today**.

(HASMUKH D. SUTHAR,J)

SUCHIT