

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 3799 of 2023

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ALPESH DHIRAJBHAI DESAI

Versus

STATE OF GUJARAT

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Appearance:

for the Applicant(s) No. 1

MR MAULIK NANAVATI, ADVOCATE FOR NANAVATI & CO.(7105) for the
Applicant(s) No. 1

MR PRANAV TRIVEDI, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 21/02/2023

ORAL ORDER

1. Heard Mr. Maulik Nanavati, learned advocate for Nanavati & Nanavati Co. for the applicant.

2. This application is filed for quashing of FIR registered with Palsana Police Station, Dist: Surat (Rural) for the offences as mentioned in the FIR.

3. The complaint came to be filed by Assistant T.D.O., Palsana against the then Sarpanch of Baleshwar Gram Panchayat and the then Talati-cum-Mantri of Baleshwar Gram Panchayat for the offence of forged valuation certificates bearing signatures of officers of Taluka Panchayat using them as basis for releasing payment to the contractor for the public work. It needs to be noted

that, vide office order dated 28.07.2021, the T.D.O. Palsana did not take cognizance of the complaint dated 08.06.2021 filed by Mohammad Bilal Shaikh of Baleshwar Gram Panchayat and accordingly informed the higher authority.

4. Considering the peculiar facts and circumstances of the present case, let detailed report be submitted by learned APP on the next date of hearing. Stand over to **31.03.2023**.

5. Meanwhile, before taking any action against the present applicant, the investigating officer shall follow the directions issued by the Apex Court in case of ***Joginder Kumar vs. State of Uttar Pradesh***, reported in **(1994) 4 SCC 260**.

(ILESH J. VORA,J)

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