

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 2175 of 2022

=====

RASIKBHAI NAGJIBHAI PATEL
Versus
STATE OF GUJARAT

=====

Appearance:

MR SALIM M SAIYED(5172) for the Applicant(s) No. 1
for the Respondent(s) No. 2
MS CHETNA SHAH, APP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 23/03/2022

ORAL ORDER

Heard learned advocate for the petitioner. Learned advocate for the petitioner submitted that impugned FIR is nothing but gross abuse of process of the Court wherein present petitioner has been falsely implicated. It is further submitted that petitioner is in fact the owner of the land in question and as an owner of the land in question, he has sold the land to the co-accused and thereby he has not committed the alleged offence punishable under Section 420 IPC. It is further submitted that two other co-accused have filed an application before this Court under Section 482 of the Code of Criminal Procedure, 1973 and this Court has granted protection to the said co-accused. Copy of the said order is placed on record.

In view of the aforesaid submissions, issue notice to the respondents returnable on 12.07.2022.

Learned APP waives service of notice for the respondent State.

Till the next date of hearing, it is open for the investigating agency to proceed further with the investigation, however, no coercive steps shall be taken against the applicant.

To be heard with Special Criminal Application No.1409 of 2022. Direct service permitted.

(VIPUL M. PANCHOLI, J)

LAVKUMAR J JANI