

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 4946 of 2022**

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NARENDRASINH KOYSINH PARMAR

Versus

STATE OF GUJARAT

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Appearance:

RAHUL SHARMA(8276) for the Applicant(s) No. 1

MR. DHAVAL G BAROT(6546) for the Respondent(s) No. 3

NOTICE SERVED for the Respondent(s) No. 2

MS CM SHAH, APP for the Respondent(s) No. 1

SANKET K PANDYA(9451) for the Respondent(s) No. 3

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CORAM:**HONOURABLE MR. JUSTICE ILESH J. VORA****Date : 16/02/2024****ORAL ORDER**

1. Leave to amend.
2. The applicant is permitted to place on record the chargesheet case papers.
3. Heard Mr.Rahul Sharma, learned advocate for the applicant and Ms.C.M. Shah, learned APP for the respondent – State.
4. The applicant herein being a driver of police escort has been charged with the offence punishable under Sections 223, 224, 225, 114 and 120(B) of the Indian Penal Code.
5. Having regard to the facts and circumstances of present case and role attributed to present applicant herein, *prima facie*

it appears that the applicant being a driver was not a part of the alleged conspiracy hatched by the co-accused. In such circumstances, case is made out to have interim relief in his favour.

6. In view of the filing of the chargesheet, let **Rule** be issued, returnable on 09.04.2024. Learned APP waives service of rule for the respondent – State. Meanwhile, there shall be no further proceedings before the Trial Court qua the applicant herein.

7. The Trial Court is at liberty to proceed further against the co-accused, in accordance with law.

Direct Service is permitted.

(ILESH J. VORA,J)

Rakesh