

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 4936 of 2021**

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DILIP MANGABHAI PATEL
Versus
STATE OF GUJARAT

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Appearance:

MR UTKARSH J DAVE(10620) for the Applicant(s) No. 1
MS SHWETA S LODHA(10592) for the Applicant(s) No. 1
for the Respondent(s) No. 2
MR MANAN MEHTA, APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE B.N. KARIA**Date : **23/03/2021****ORAL ORDER**

By way of present application, the applicant has prayed to quash and set aside the FIR being CR No. 11211005200349 of 2020 registered with Patdi Police Station, District Surendranagar for the offence punishable under Sections 295A and 114 of the Indian penal code, 1860 and further prayed to stay the further proceedings thereof till final disposal of this application.

Heard learned advocate for the applicant.

It was submitted by learned advocate for the applicant that the present FIR is second FIR relating to same incident. It is submitted that with the self same allegation earlier also FIR was

filed wherein identical facts have been narrated. That the earlier FIR being CR No. 11211057200118 of 2020 was registered with Surendranagar City 'A' Division Police Station, District Surendranagar on 06.02.2020 and the present impugned FIR came to be registered on 15.09.2020. It is submitted that both the FIRs are filed by the followers of the Swadhyay Pariwar which itself suggests that it is a malafide attempt on the part of the complainant to stop the present applicant from publishing any follow-up story related to Swadhyay Parivar since the present applicant in the course of his duty published a story.

Issue requires consideration.

Notice returnable on 15.06.2021. Learned APP waives service of notice for and on behalf of the respondent No.1~ State.

K. S. DARJI

(B.N. KARIA, J)