

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 5886 of 2026

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VARUN TANDON S/O LAXMI NARAYAN TANDON
Versus
STATE OF GUJARAT & ANR.

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Appearance:

ADITYA A GUPTA(7875) for the Applicant(s) No. 1
MR. KANVA ANTANI, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 23/04/2026

ORAL ORDER

1. Heard Mr. Aditya A. Gupta, learned advocate appearing for the applicant and learned APP Mr. Kanva Antani appearing for the respondent No.1 - State. Perused the entire materials on record along with the copy of the original complaint as well as the impugned order of the learned Magistrate.

2. It *prima facie* appears that though it has been specifically provided in Section 223 of the Bharatiya Nagrik Suraksha Sanhita, 2023, the learned Magistrate has taken cognizance of the offence without affording the opportunity of hearing to the present applicant.

3. Issue **Notice** to the respondents, making it returnable on **22.06.2026**.

4. Learned APP Mr. Kanva Antani waives service of notice for and on behalf of respondent No.1 - State.

5. In the meantime, let there be an ad-interim relief in terms of paragraph 18(c) qua the present applicant, till the next date of hearing.

AMAR SINGH

(VIMAL K. VYAS, J)