

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 5095 of 2026

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DINESHKUMAR JAYANTIBHAI PATEL
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR M. M. BUKHARI(12833) for the Applicant(s) No. 1
MR BM MANGUKIYA(437) for the Respondent(s) No. 2
MS BELA A PRAJAPATI(1946) for the Respondent(s) No. 2
MR.JAY MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 24/06/2026

ORAL ORDER

1. This application is filed for quashment of the FIR being 11206079260041/2026 registered with Ladol Police Station, Mahesana for the offence punishable under section 316(2), 318(4), 54 of BNS, 2023.
2. It is submitted by learned advocate Mr.M.M.Bukhari that previously for same cause of action the FIR came to be lodged being I-CR No.11206079250170 of 2025 wherein, the applicant was cited as a witness and the FIR was filed against four persons. It is submitted by learned advocate Mr.M.M.Bukhari that thereafter, the impugned FIR came to be filed alleging the same thing wherein the applicant was arraigned as accused alongwith other four

persons who were accused in the previous FIR. It is submitted that even otherwise the dispute which is of civil nature has been converted into criminal prosecution. It is submitted by learned advocate Mr.M.M.Bukhari that there is no specific role assigned to the present applicant and in that background, impugned FIR is nothing but abuse of process of law.

3. Considering the above submissions, let notice be issued making it returnable on 21.08.2026. Learned APP Mr.Jay Mehta waives service of notice on behalf of respondent-State. Learned advocate Mr.B.M.Mangukiya waives service of notice on behalf of respondent no.2
4. Meanwhile, no coercive steps shall be taken against the present applicant, however investigation is permitted to be continued.

ARCHANA S. PILLAI

(M. K. THAKKER,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ARCHANA SAJEEVKUMAR PILLAI(HC01899), PRIVATE SECRETARY, at High Court of Gujarat on 24/06/2026 18:21:18