

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 3206 of 2023**

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NARENDRA VRAJLAL CHAVDA ONE PARTNER OF SHRI DAMODAR
CORPORATION

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1

MR. VIPUL B SUNDESHA(6689) for the Applicant(s) No. 1
for the Respondent(s) No. 2

MR. BHARGAV PANDYA, ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 05/08/2024

ORAL ORDER

Heard learned advocate Mr. P. P. Majmudar for the applicant. Learned advocate Mr. Majmudar points out that though the cheque is issued by the firm – Damodar Corporation, the firm – Damodar Corporation is not joined as an accused in the complaint and only the partner who has signed the cheque is joined as an accused in the complaint under section 138 of the N. I. Act and therefore, on account of this defect, the proceedings are required to be stayed. Hence, the same are stayed.

Considering the aforesaid submission, issue NOTICE to the respondents returnable on 17.09.2024. Learned APP waives service of notice for and on behalf of the respondent – State.

Direct service is permitted.

(NIRZAR S. DESAI,J)

VARSHA DESAI