

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST ORDER PASSED
BY SUBORDINATE COURT) NO. 2532 of 2026**=====

VASIM MOHSHINBHAI IDHRISHBHAI SHEIKH & ANR.

Versus**STATE OF GUJARAT & ANR.**
=====**Appearance:****MR I.H.SYED, SR. ADVOCATE FOR MR ANIQ A KADRI(11256) for the
Applicant(s) No. 1,2****MR KRUTIK PARIKH, APP for the Respondent(s) No. 1**
=====**CORAM:HONOURABLE MS. JUSTICE S.V. PINTO****Date : 10/09/2026****ORAL ORDER**

1. Learned Senior Advocate Mr.I.H.Syed, assisted by learned advocate Mr. Aniq A. Kadri for the applicants, submits that an FIR for the offences punishable under Section 8(4) of the Gujarat Animal Preservation Act and Section 295-A of the Indian Penal Code came to be registered against the applicants with Tharad Police Station, District Banaskantha, on 01.09.2023. Learned Senior Advocate submits that cognizance of the offence punishable under Section 295-A of the Indian Penal Code could not have been taken by the learned Trial Court without obtaining the requisite sanction and, therefore, a discharge application was preferred by the applicants. However, the said application came to be rejected by the learned Trial Court vide order dated 06.08.2024. Learned Senior Advocate further submits that thereafter, the learned Trial Court, by an order

passed below Exh.1, directed the Investigating Officer, Tharad Police Station, to complete the investigation in accordance with the provisions of Section 173(8) of the Code of Criminal Procedure. Learned Senior Advocate submits that in absence of the requisite sanction, cognizance of the offence under Section 295-A of the Indian Penal Code could not have been taken and the applicants ought to have been discharged; however, the learned Trial Court rejected the discharge application.

2. Learned Senior Advocate for the applicants submits that the learned Trial Court has posted the matter tomorrow i.e. 11.09.2026 for framing of charge.

3. In view of the above, it would be open for the applicants to prefer an application for adjournment before the learned Trial Court and the learned Trial Court shall consider the same on the adjourned date only.

4. Learned APP Mr. Krutik Parikh for the respondent – State requests for short accommodation to keep the Investigating Officer present and particularly, to apprise the Court as to what investigation has been undertaken after passing of the order dated 06.08.2026 by the learned Trial Court.

5. List the matter on 08.10.2026.