

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 6401 of 2026**

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JAYDEEPSINH PRATAPSIH VAGHELA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR CHETAN K PANDYA(1973) for the Applicant(s) No. 1

MS VRUNDA SHAH, ADDL.PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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CORAM:**HONOURABLE MRS. JUSTICE M. K. THAKKER**

Date : 13/04/2026

ORAL ORDER

Learned advocate Mr. Pandya submits that while issuing the summons, the learned trial Court has not followed the procedure prescribed under Section 223 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is submitted by the learned advocate Mr. Pandya that the proviso of the above section provides that before issuing the summons, the accused is required to be heard or an opportunity of hearing is required to be given. It is submitted by the learned advocate Mr. Pandya that in absence of the same, the order of issuance of the summons dated 24.01.2025 is passed.

Considering the submissions, let Notice be issued making it returnable on 23.04.2026.

Direct Service is permitted

(M. K. THAKKER,J)

M.M.MIRZA