

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 4051 of 2021****With****CRIMINAL MISC.APPLICATION (FOR STAY) NO. 1 of 2021
In R/SPECIAL CRIMINAL APPLICATION NO. 4051 of 2021****=====**
JAGRUTIBEN D/O JAYSUKHBHAI DHEERAJBHAI JOSHI
Versus
STATE OF GUJARAT
=====**Appearance:****MR. ARCHIT P JANI(7304) for the Applicant(s) No. 1****MS POONAM M MAHETA(11265) for the Applicant(s) No. 1****NOTICE SERVED(4) for the Respondent(s) No. 2****MS SS PATHAK APP (2) for the Respondent(s) No. 1**
=====**CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA****Date : 16/11/2021****ORAL ORDER**

1. Heard Mr. GM Joshi, learned Senior Counsel assisted by Mr. AP Jani, learned advocate and Ms. PM Mehta, learned advocate for the applicant and Ms. SS Pathak, learned APP for the respondent State.

2. Learned Senior Counsel would submit that despite pendency of the present petition, the learned trial Court has proceeded with the criminal case and matter has been fixed for charge frame and therefore, he submits that if the charge is framed by the trial Court, then, present petition become infructuous.

3. On the other hand, Ms. SS Pathak, learned APP opposed the grant of interim protection mainly on the ground that the applicant being Notary Advocate, had attested the forged documents as true copies and same were produced before the trial Court for releasing the vehicle and therefore, considering the role attributable to present applicant, prima-

facie, case is made out against her for the alleged offence.

4. A bare perusal of the FIR and materials placed on record would show that the applicant is a Public Notary and was not named in the alleged FIR and had attested the documents like identity card and R.C. Book produced before her by accused Ajay Thakkar for attestation and true copies. Prima-facie, it appears that except, attesting the photo copies of Identity Card and R.C. Book, no other allegations are being made against present applicant. Thus, considering the role attributable to present petitioner in the alleged offence, case is made out for interim relief.

Hence, S.O. to 24.12.2021. Till then, there shall be no further proceedings before the trial Court. Direct service permitted.

P.S. JOSHI

(ILESH J. VORA,J)