

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 4232 of 2025**

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BABUBHAI BIJALBHAI GUJARIYA  
Versus  
STATE OF GUJARAT & ANR.

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Appearance:

MR ABHISHEK K KHUMAN(12902) for the Applicant(s) No. 1  
MS MEGHA CHITALIA, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE DIVYESH A. JOSHI**

**Date : 24/03/2025**  
**ORAL ORDER**

1. Mr. Abhishek Khuman, learned advocate submits that it is an admitted position of fact that on the date of incident, the applicant was not found available at the place of occurrence, however, he has been arraigned as an accused on the basis of statement made by the co-accused before the police officer and that is why, at the time of registration of FIR, his name has been mentioned in the body of FIR.

He further submits that in-fact, the co-accused whose role is identically similar to the applicant has already been considered by this Hon'ble Court, therefore, the same order may be passed.

2. Considering the same, **Issue Notice** to the respondents, returnable on **09.06.2025**. Learned Additional Public Prosecutor waives service of notice for and on behalf of the

respondent -State of Gujarat.

In the meantime, the Investigating Officer is directed to carry out the investigation, however, no coercive steps be taken against the applicant. Direct service is permitted.

A. B. VAGHELA

**(DIVYESH A. JOSHI,J)**