

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 7422 of 2021**

KANTILAL PUNAMCHAND SHAH

Versus

STATE OF GUJARAT

Appearance:

MR ASHISH M DAGLI(2203) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR LB DABHI, ADDITIONAL PUBLIC PROSECUTOR(2) for the

Respondent(s) No. 1

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 15/06/2021

ORAL ORDER

Heard learned advocate Mr.Ashish M. Dagli for the applicant.

It is submitted that there is a gross delay of more than 11 years in lodging the FIR. It is further submitted that even the ingredients of the alleged offences are not prima-facie made out and impugned FIR is nothing but a gross abuse of the process of the Court.

In view of the aforesaid submissions, issue notice to the respondents, returnable on 15.09.2021. Learned Additional Public Prosecutor waives service of notice for the respondent State.

It is open for the Investigating Officer to proceed with the investigation. However, charge-sheet shall not be filed against the applicant without the

prior permission of this Court.

Respondent No.2 be served through the concerned Police Station.

piyush

(VIPUL M. PANCHOLI, J)