

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 6142 of 2025

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ASHVIN SURESHBHAI TALPADA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR RAJESH K KANANI(2157) for the Applicant(s) No. 1
MR YUVRAJ BHRAMBHATT APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE DIVYESH A. JOSHI

Date : 26/03/2025

ORAL ORDER

Learned advocate Mr. Rajesh K Kanani for the applicant submitted that as per the case of prosecution the so-called incident has occurred between 16.08.2004 to 10.03.2021 and the FIR is registered on 10.03.2021. It is the specific case of the respondent-original complainant that the grand father of the present applicant has entered in agreement by executing a registered sale deed in the year 2006, despite the said fact that the sale deed has been executed and they are in possession of the suit property. In fact there was dispute of the agreement to sale for which civil litigation have been filed by the parties before the competent Court. He further submits that as per the case of the complainant the so-called incident has occurred in the year 2004, whereas he has produced the copy of the Aadhar card as well as other materials which clearly goes on to show that the present applicant is born on 26.12.2003, therefore on the date of incident the age of the applicant is only eight months old. Pursuant to the registration of

the FIR investigation was commenced and at the end of the investigation the concerned Investigating Officer has filed charge sheet against the accused persons and as the applicant was a minor separate charge sheet has been filed and ultimately culminated in Criminal Case(Juvenile) No. 55 of 2024.

Considering the above stated factual aspects, issue **NOTICE** making it returnable on **30.06.2025**.

In the meantime, ad-interim relief is granted in terms of para. 10 (c).

Radhika

(DIVYESH A. JOSHI,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RADHIKA ABHILASH(HCD0042), Steno Gr II, at High Court of Gujarat on 26/03/2025 15:54:40