

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION NO. 5448 of 2019

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KANTILAL NARSHIBHAI BHIMANI
Versus
STATE OF GUJARAT

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Appearance:

MR MEET D PANSURIA(10170) for the Applicant(s) No. 1

NOTICE NOT RECD BACK for the Respondent(s) No. 2

MS MD MEHTA, ASSISTANT PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 08/03/2022

ORAL ORDER

1. Heard learned Advocate Mr. Meet D. Pansuria on behalf of the applicant and learned APP Ms. M. D. Mehta on behalf of the respondent-State.

2. Learned Advocate Mr. Pansuria on behalf of the applicant would submit that while an allegation of demanding bribe of Rs. 1000/- (one thousand) is made in the FIR, perusal of the FIR itself would reveal that there is no material whatsoever to support such an allegation. Learned Advocate Mr. Pansuria would submit that there is no material to suggest the applicant having sought for bribe to Rs. 1000/- (one thousand) and even the material as collected during the investigation would suggest that a demand of Rs. 200/- (two hundred) was made which was in lieu of late

fees and for which a receipt had also been given.

3. It appears that apart from a conversation between the applicant and a colleague of the complainant, there is no other material which would prima facie suggest any demand having been made by the applicant. Even as regards the conversation with the colleague of the complainant, perusal of the FIR would reveal that the conversation was with regard to the amount of Rs. 200/- (two hundred) which has been referred to herein above.

4. Having regard to the same, let the learned APP Ms. Mehta call for investigation papers, more particularly, the statement of junior colleague of the complainant one Mr. Rushiraj on the next date of hearing i.e. on the 15.03.2022.

Mrs. J. J. Kedia

(NIKHIL S. KARIEL,J)