

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 4965 of 2026**

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VIJAYBHAI GOVINDBHAI AMBALIYA
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR PRATIK Y JASANI(5325) for the Applicant(s) No. 1
MR HARDIK SONI, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 13/04/2026****ORAL ORDER**

1. From the record, it appears that a complaint for an offence punishable under Section 138 of Negotiable Instruments Act was lodged against the petitioner, and the learned Trial Court had convicted the petitioner for the said offence against which the petitioner had preferred an appeal before the learned Sessions Court and the learned Session Court vide impugned judgment and order dated 02.03.2026, acquitted the petitioner of the said offence. However, while acquitting the petitioner for an offence punishable under Section 138 of Negotiable Instruments Act had kept it open for the complainant to lodge an FIR for the offences punishable under Sections 406, 467, 468, 471 and 420 of IPC against the petitioner.

2. From the record, it appears that while issuing the cheque to the complainant the petitioner had issued a cheque belonging to the other firm and had put a rubber stamp of the another firm on the said cheque.

3. Having regard to these aspects, the directions so far as it relates to registration of an offence for the aforesaid offences against the petitioner is stayed.

4. Issue Notice returnable on 07.08.2026. Learned APP waives service of notice on behalf of the respondent - State.

SAKSHI MAURYA

(M. R. MENGDEY,J)