

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION NO. 5035 of 2021

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AATISH BHANUBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

HARSH V GAJJAR(7828) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MRS KRINA CALLA, APP (2) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 14/10/2021

ORAL ORDER

1. Learned advocate for the petitioner is permitted to delete ground 4(G) of the present petition.

2. Heard Mr. Harsh V. Gajjar, learned advocate for the petitioner.

3. The petitioner seeks quashment of impugned FIR being I-C.R. No.11215007210039 of 2021 registered with Borsad Rural Police Station, Anand for the offences punishable under Sections 143, 147, 149, 186, 332, 333, 337, 341, 427, 504, 506(2) and 120(B) of the IPC read with Section 3 of Prevention of Damage to Public Property Act and Section 135 of the Gujarat Police Act.

4. Placing reliance on the decision rendered in case of *Kandhal Sarman Jadeja vs. State of Gujarat* reported in 2019 (2) GLR 1462, Mr. Gajjar, learned advocate for the

petitioner would submit that the impugned FIR is barred under the provisions of Section 195(I)(a) of the Criminal Procedure Code, 1973.

5. In view of the facts of present case, let notice be issued returnable on 24.01.2022. Learned APP waives service of notice for and on behalf of the respondent-State.

TAUSIF SAIYED

(ILESH J. VORA,J)