

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 9844 of 2022****With****R/CRIMINAL MISC.APPLICATION NO. 9842 of 2022****With****R/CRIMINAL MISC.APPLICATION NO. 9843 of 2022**

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RAMESHBHAI REVABHAI PATEL**Versus****STATE OF GUJARAT**

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Appearance:**MR MEHUL SHARAD SHAH(773) for the Applicant(s) No. 1,2,3****for the Respondent(s) No. 2****MR PRANAV TRIVEDI, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA**Date : 07/06/2022****COMMON ORAL ORDER**

1. Heard learned advocate Mr.Mehul Shah and learned advocate Ms.Forum Trivedi for the applicants in the respective Applications.

2. It has been pointed out that the impugned cheque was issued by the authorised signatory of M/s.Shukan Corporation Private Limited. However, criminal complaint came to be filed by the complainant before learned Judicial Magistrate First Class, Kalol, wherein present applicants arraigned as accused Nos.3, 4 and 5 and M/s.Shukan Gold Corporation Private Limited been arraigned as an accused No.1.

3. Learned advocates for the applicants relied on the judgment of the Apex Court in the case of **Aneeta Hada v. Godfather Travels and Tours Private Limited [(2012) 5 SCC 661]** as well as order passed by the Coordinate Bench of this Court in **Sunitbhai Hapani v. State of Gujarat** being **Criminal Miscellaneous Application No.8326 of 2014** decided on 15th January, 2016.

4. Considering the aforesaid submissions, applicants have made out *prima facie* case. Hence, issue Notice for final disposal, returnable on 04th July, 2022.

4.1 Learned Additional Public Prosecutor waives service of Notice on behalf of respondent – State.

5. In the meantime, there shall be ad-interim relief in terms of para-15(C).

Direct service is permitted.

(NIRAL R. MEHTA,J)

ANUP