

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 13657 of 2022**

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BHEMJIBHAI JALUJI THAKOR**Versus****STATE OF GUJARAT**

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Appearance:**MR NK MAJMUDAR(430) for the Applicant(s) No. 1**
for the Respondent(s) No. 2**PUBLIC PROSECUTOR for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA**Date : 26/09/2022****ORAL ORDER**

1. Mr. R.N.Majmudar, learned advocate submitted that after lodgement of the FIR, the land, alleged to have been encroached/grabbed, has been restored to the Government and the panchnama to that effect was also drawn.

2. To substantiate his contention, learned advocate for the applicant has relied upon the panchnama at page 27 as well as the statement of the complainant at page 24. In addition to the aforesaid, learned advocate Mr.Majmudar has also tendered the affidavit duly filed by the applicant undertaking, *inter alia*, that no other land has been encroached upon by the applicant and even in future, no such illegal activity will be undertaken by the applicant.

3. In view of the aforesaid submission, issue **RULE** returnable on **10.04.2023**. Learned Additional Public Prosecutor appears and waives service of notice of rule for and on behalf of the respondent-State.

4. In the meantime, there shall be an ad-interim relief in terms of para 15 (C). Direct service is permitted.

VISHAL MISHRA

(NIRAL R. MEHTA,J)