

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION - TO LODGE
FIR/COMPLAINT) NO. 6635 of 2025**

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ISHWARBHAI BHAYSANGBHAI PATEL

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR JIGNESHKUMAR M NAYAK(8558) for the Applicant(s) No. 1

MR TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 16/07/2025****ORAL ORDER**

[1.0] By way of present petition, the petitioner prays for direction directing the Respondent authorities to lodge the FIR pursuant to the complaint dated 08.05.2024 produced at Annexure-A to the petition.

[2.0] Learned advocate for the petitioner has submitted that the petitioner has approached respondent authority by way of complaint dated 08.05.2024 at Annexure-A to the petition, but nothing has been done.

[3.0] Perusing the nature of allegations and as the petitioner intends to file a complaint, prima facie, it appears that as to whether offence is made out or not itself is a question of fact. At this stage, it would be apposite to consider the observations made by the Apex Court in the case of **M. Subramaniam vs. S. Janki** reported in **(2020)16 SCC 728** as well as the decision in the case of **Imran Pratap Gadhi vs. State of Gujarat** reported in **2025 SCC OnLine (SC) 678**.

[4.0] In view of above, present petition stands disposed of with

direction to the respondent authority to inform about the outcome of complaint dated 08.05.2024 at Annexure-A to the petitioner in writing about the same by assigning reasons in brief, preferably within a period of four weeks from today.

It is hereby made clear that this Court has not examined the merits of the case. Direct service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AJAY CHANDRAN MENON(HC00939), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 16/07/2025 18:04:35