

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 9522 of 2026**

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ROOP KRISHEN KHAR S/O AMAR NATH KHAR PROP. DIRECTOR M/S.
UNICURE INDIA LTD. & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

KRISHAL H PATEL(9644) for the Applicant(s) No. 1,2

MR SAURIN A MEHTA(470) for the Applicant(s) No. 1,2

MR. ADITYA JADEJA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE S.V. PINTO

Date : 23/04/2026

ORAL ORDER

Learned advocate Mr. Krishal H. Patel for the applicants referred to the contents of complaint and the documents produced on record and submitted that the concerned learned Magistrate has taken cognizance by issuing summons upon the accused without forming a prima facie opinion about the commission of crime by the accused and/or involvement of the accused in the alleged commission of crime, therefore, the case of the applicants is squarely covered by the decision of the Hon'ble Supreme Court in case of J.M. Laboratories & Ors. Vs. State of Andhra Pradesh & Anr., reported in 2025 SCC Online SC 208.

In view of the above submissions and having considered the above decision of the Hon'ble Supreme Court, I am of the considered opinion that the matter requires consideration.

Issue Notice making it returnable on 23.07.2026.
Learned APP waives service of notice for respondent – State.

In the meantime, ad-interim in terms of Para No.8B is granted.

Direct service qua respondent No.2 is permitted.

ROHAN SONI

(S. V. PINTO,J)