

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 9779 of 2026**

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SAMADHAN PRAKASH PATIL

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR DIPESH D SONI(9996) for the Applicant(s) No. 1

MR. ROHAN SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE DIVYESH A. JOSHI

Date : 27/04/2026**ORAL ORDER**

Learned advocate Mr. Dipesh D. Soni appearing for the applicant submits that the impugned F.I.R. came to be registered on 05.01.2026 against seven persons, wherein the present applicant has been shown as Accused No. 2. It is submitted that, in fact, the name of the applicant is Samadhan Prakash Patil, whereas the F.I.R. refers to one Sanjay Patel. It is, therefore, contended that both are distinct individuals and the applicant herein is in no manner connected with the said Sanjay Patel. However, due to similarity and confusion in names, the applicant apprehends that he may be wrongly implicated by the police authorities and hence, the present application has been preferred.

He further submitted that even if the allegations as narrated in the body of the F.I.R. are taken on record, the applicant was not present at the place of occurrence. It is also

contended that the Investigating Officer has sought to implicate the present applicant solely on the basis of the statement of co-accused, namely Sanjay Patel. Except for the said statement of the co-accused, there is no independent material available on record which connects the applicant with the commission of the alleged offence.

Considering the above-stated totality of facts and circumstances of the present case, issue **NOTICE** making it returnable on **08.07.2026**.

Learned APP waives service of notice for and on behalf of Respondent No. 1 – State.

The Investigating Officer concerned is permitted to proceed with the investigation, however, no coercive steps shall be taken against the present applicant till the returnable date.

(DIVYESH A. JOSHI,J)

GARVITA