

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION NO. 5531 of 2022**

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PRAVINSINH DILIPSINH PATEL

Versus

STATE OF GUJARAT

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Appearance:

MR DHARMESH C GURJAR(5170) for the Applicant(s) No. 1

REKHABEN C GURJAR(7360) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR PRANAV TRIVEDI, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA****Date : 21/02/2023****ORAL ORDER**

1. Heard Mr. D.C. Gurjar, learned advocate for the applicant.

2. This application is filed for quashing of charge-sheet filed in connection with the FIR registered with Gorva Police Station, Dist: Vadodara City for the offences as mentioned in the FIR.

3. Prima-facie, it appears that, FIR is filed with a view to recover the advance money, allegedly given by the complainant. Admittedly, the complaint is filed under Section 138 of N.I. Act for alleged dishonour of cheque which is pending before the concerned Court. The recovery suit of the alleged amount is also pending before the Court concerned. In such circumstances, this Court is

of the view that the matter deserves consideration.

4. Let **Rule** be issued returnable on **21.07.2023**. Learned APP waives service of rule for the respondent-State. Meanwhile, interim relief in terms of para-16(B) is granted.

Direct service is permitted.

TAUSIF SAIYED

(ILESH J. VORA,J)