

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 10597 of 2026

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RINKESH ARVINDBHAI MEHTA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR. DAX K SOLANKI(12696) for the Applicant(s) No. 1
MR. SAGAR V. SANGHAVI(19763) for the Applicant(s) No. 1
MR. VIKEN SHAH(14276) for the Applicant(s) No. 1
MR. MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 05/05/2026

ORAL ORDER

1. By way of this application under Section 528 of BNSS, 2023, the applicant has prayed to quash and set aside the complaint being FIR No. Part-B 11210003230424 of 2023 registered with Adajan Police Station, Surat, for the offences under Sections 3C, 3(1)C, 4 and 5 of Prevention of Gambling Act, Section 23(1), E, F, G, H and I of the Security Contract Regulation Act, 1956, and Section 15 (H)(A) of the Securities and Exchange Board of India Act, 1992, and all the consequential proceedings arising therefrom.

2. Learned advocate Mr. Dax K. Solanki for the applicant submitted that the offences are registered under The Security Contract Regulation Act, 1956, along with The Prevention of Gambling Act. It is submitted that under Section 26 of The

Security Contract Regulation Act, 1956, there is a bar and the complaint is required to be filed instead of FIR by the SEBI. It is submitted that the co-accused has already been protected by this Court in Special Criminal Application No.4648 of 2024.

3. Considering the above submission, **Rule**. Learned Additional Public Prosecutor waive service of notice of Rule on behalf of the respondent - State.

4. Ad-interim relief in terms of para-9(c) is granted.

5. To be heard with Special Criminal Application No.4648 of 2024.

AMIT ITALIAN

(M. K. THAKKER,J)