

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET
ASIDE FIR/ORDER) NO. 11625 of 2026**

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KALPESHBHAI SEVANTILAL SANGHVI & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR DAX K SOLANKI(12696) for the Applicant(s) No. 1,2,3,4,5

MR GAURAV PURANCHAND ASIJA(13622) for the Applicant(s)
No. 1,2,3,4,5

MR. SAGAR V. SANGHAVI(19763) for the Applicant(s) No.
1,2,3,4,5

MR JAY MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL

Date : 11/06/2026

ORAL ORDER

1. Heard Mr. Dax K. Solanki, learned advocate appearing for the applicants and learned APP Mr. Jay Mehta appearing for the respondent No. 1 – State and perused the entire material on record along with the impugned FIR.

2. It *prima facie* appears that on 12.05.2023, Police had registered the impugned FIR for the offences punishable under Sections 3(C), 3(1)(C), 4 and 5 of the Gujarat (Bombay) Prevention of Gambling

Act, 1887; under Sections 23(1)(E), (F), (G), (H), (I), 23(A)(F) of the Securities Contract (Regulation) Act, 1956 and under Sections 15(H)(A) of the Securities and Exchange Board of India Act, 1992. It further *prima facie* appears that elements of offences punishable under Sections 3(C), 3(1)(C), 4 and 5 of the Gujarat (Bombay) Prevention of Gambling Act, 1887 are not attracted. It also appears that in view of Section 26 of: (i) the Securities Contract (Regulation) Act, 1956; and (ii) the Securities and Exchange Board of India Act, 1992, there exists a statutory bar against taking cognizance. Considering the same, it appears that the Court is precluded from taking cognizance under both the aforesaid offences except upon the written complaint filed by the authorized officer.

3. In view of the aforesaid, issue *Notice* to the respondents, making it returnable on **10th August 2026**. Learned Additional Public Prosecutor waives service of notice for and on behalf of respondent No. 1 – State.

3.1 In the meantime, let there be an ad-interim relief in terms of paragraph 11-C *qua* the present applicants, till the next date of hearing.

[P. M. Raval, J.]

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