

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 7759 of 2023**

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SANDEEP CHHAGANBHAI UGAREJA
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR YASH K DAVE(10269) for the Applicant(s) No. 1

NOTICE SERVED for the Respondent(s) No. 2

MS VC SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 15/03/2024

ORAL ORDER

1. By way of this application under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr.P.C."), the applicant has prayed to quash and set aside the complaint being **FIR No.11213091230327 of 2023 registered with Sapar Veraval Police Station, Rajkot Rural**, for the offences under Sections 465, 467, 468, 471 and 114 of the IPC and all the consequential proceedings arising therefrom.

2. Heard learned advocates for the respective parties.

3. At the instance of respondent No.2, the present complaint is filed. In the present case, the present applicant is arraigned as accused No.3. It is alleged that the disputed property is situated in plot no.14 and FIR came to be lodged. It appears that plan was sanctioned by the Taluka Development Officer (in short "TDO") in the year 1988 for the 13 plots and between plot nos.10 and 11,

wrongly plot no.14 was shown and one forged document came to be prepared by the accused no.1. The allegations levelled against the accused no.1 is for forgery and he has floated the scheme and the said plot came to be sold by the respondent no.2 and in the year 2022, the present petitioner has purchased the said commercial plot. It appears that present applicant is subsequent purchaser and when he came to know about cheating, then he lodged the complaint for the land grabbing, through his Power of Attorney holder and approached the committee.

4. Considering the aforesaid fact and the alleged incident of the forgery and allegations, in the year 2001, the original land was planned and the NA was sanctioned in the year 1988.

5. Considering the aforesaid fact the present application deserves consideration.

6. **Rule**, returnable on **02.05.2024**. Learned APP waives service of notice of rule on behalf of respondent-State.

Interim relief, in terms of para 3(iii) is granted till then.

Direct service is permitted.

(HASMUKH D. SUTHAR,J)

KUMAR ALOK