

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 7876 of 2026**

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DR. JITENDRA KANJIBHAI VAGHELA  
Versus  
STATE OF GUJARAT & ANR.

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Appearance:  
MR MITESH AMIN, Senior Advocate, assisted by Mr. KSHITIJ M AMIN(7572)  
for the Applicant(s) No. 1  
PUBLIC PROSECUTOR for the Respondent(s) No. 1

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**CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY**

**Date : 11/06/2026**

**ORDER**

Learned Senior Counsel appearing for the petitioner submits that the offence alleged against the petitioner in the complaint is a warrant triable offence and therefore, under the provisions of Section 267 of the BNSS, the learned Court was required to collect evidence from the prosecution for the purpose of framing of charge. As per the rojkam of the learned Trial Court, on 07.02.2026 the matter was adjourned to 30.05.2026 for the purpose of prosecution to produce the evidence for charge. However, on 30.05.2026, without the prosecution furnishing the evidence, the learned Trial Court directly framed the charges against the petitioner.

Having regard to these aspects, issue notice, returnable on 08.09.2026. Learned APP Ms. Shruti Pathak waives service of notice on behalf of the State.

Ad-interim relief in terms of paragraph 10(C) is granted till the next date of hearing.

**(M. R. MENGDEY,J)**

Anuj