

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 5938 of 2020**

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KANAIYALAL LABHUBHAI NAROLA THROUGH DHIRUBHAI LABHUBHAI
NAROLA
Versus
STATE OF GUJARAT

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Appearance:

MR. YOGESH LAKHANI SENIOR COUNSEL WITH MR. RAHUL R
DHOLAKIA(6765) for the Applicant(s) No. 1
ABHISST K THAKER(7010) for the Respondent(s) No. 2
MR.NANDISH H THACKAR(7008) for the Respondent(s) No. 2
MR. MITESH AMIN PUBLIC PROSECUTOR WITH MS. SHRUTI PATHAK,
APP for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE A.S. SUPEHIA****Date : 06/11/2020****ORAL ORDER**

Learned advocate Mr.Dholakia appearing for the applicant has submitted that in the case of other accused of Criminal Misc. Application No.15159 of 2020 with Criminal Misc. Application No.14267 of 2020, the Coordinate Bench has protected them, and, therefore, he has requested that the same protection may be given looking to the role of the applicant, which is not serious compare to the co-accused, who have protected by the Coordinate Bench.

Learned advocate Mr.Nandish Thakkar has submitted that similar conditions may be imposed, which are imposed by the Coordinate Bench in Criminal Misc. Application No.14267 of 2020 vide order dated 05.10.2020. The same reads as under:

*“5. Considering the aforesaid factual aspects, **issue Rule, returnable on 22.10.2020.** In the meantime, the respondents are restrained from taking any coercive steps against the applicant herein; however, there shall be no stay on the investigation.”*

Issue **RULE** returnable on **17.12.2020**. Learned APP waives service of notice of rule for and on behalf of the respondent-State.

Under the circumstances, the same observation is made by this Court to the effect that the applicant shall return to the country and surrender his passport before the concerned police authority.

It is clarified that the applicant shall fully cooperate with the investigation and he shall remain present before the Investigating Officer as and when summoned by him.

To be heard with Criminal Misc. Application No.15159 of 2020 and connected matter.

Sd/- .
(A. S. SUPEHIA, J)

NEHA GUPTA /// VishalMishra