

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL REVISION APPLICATION (AGAINST ORDER PASSED BY
SUBORDINATE COURT) NO. 980 of 2025**

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SINDHI KISHAN ASHOKBHAI
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR KAMLESH S KOTAI(6150) for the Applicant(s) No. 1
MS JYOTI BHATT, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE L. S. PIRZADA

**Date : 11/07/2025
ORAL ORDER**

1. The present revision applicaion has been preferred by the applicant – original accused under Section 428 read with Section 442 of the Bhartiya Nagarik Suraksha Sanhita, 2023, (For short, the “BNSS”).
2. Heard learned advocate for the applicant and learned APP for the respondent – State.
3. Learned advocate for the applicant submitted that present Criminal Revision Applicaion has been preferred by the present applicant diecting against the order passed by 3rd Additional Sessions Judge, Mahesana in Criminal Appeal No.267 of 2025 passing an order below Exhibit-5 directing the present applicant to deposit 20% amount of the compensation while suspending the sentence dated 02.05.2025.

4. Learned advocate for the applicant has relied on the judgment of Hon'ble Apex Court in the case of Muskan Enterprises & Another v. The State of Punjab and Another in Criminal Appeal No.5491 of 2024 and submitted that an opportunity is required to be given to the applicant before passing an order for depositing 20% amount of compensation and further submitted that the present application has an exceptional case where no order for deposit is required. Learned appellate Court has not heard the present applicant before passing an order. Hence, considering this submission, the present Criminal Revision Application requires consideration.

5. In view of the above, issue **Notice** to the respondent No.2 – original complainant through concerned Police Station, returnable on **21st July, 2025**. Interim relief in terms of para-10(C) is granted. Direct service is permitted.

(L. S. PIRZADA, J)

Manoj Kumar Rai