

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 9943 of 2014
With
R/CRIMINAL MISC.APPLICATION NO. 9946 of 2014**

=====

BHARATKUMAR BALMUKUND PARIKH
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

NANAVATY ADVOCATES(1373) for the Applicant(s) No. 1
MR R G DWIVEDI(6601) for the Respondent(s) No. 2
MS POOJA H HOTCHANDANI(7765) for the Respondent(s) No. 2
MR HARDIK SONI, APP for the Respondent(s) No. 1

=====

**CORAM: HONOURABLE MR. JUSTICE CHEEKATI
MANAVENDRANATH ROY**

Date : 21/02/2024

ORAL ORDER

1. Pursuant to the order dated 14.2.2024 and the direction given therein, Action Taken Report has been filed by the learned APP against erring police officials. It is stated that as regards the conduct of the police officer in not attending the Court, minor punishment of censure is imposed against him and as regards the act of misconduct of misplacing the record is concerned, show-cause notice was issued to him as to why fine of Rs.2,000/- should not be imposed on him and his explanation is awaited.

2. Regarding the direction given to take action against the previous police Inspector, who filed A-Summary stating that charge-sheet could not be filed against the accused as the

accused are not available for arrest, it is stated that as the said Police Inspector is now transferred and he is working at Chhota Udepur District, that file has been sent to the concerned Superintendent of Police to take action against him and the response is awaited.

3. As per the previous order dated 14.2.2024, prosecution was permitted to file charge-sheet. Learned APP now submits that presence of the petitioners is required before the investigation officer for further investigation to file charge-sheet. Therefore, petitioners are directed to be present before the investigation officer, as and when required, to cooperate with him for smooth investigation.

4. Let the matters be listed on 21.3.2024 to file further report as to what is the action taken regarding imposition of fine of Rs.2,000/- and against the previous Police Inspector.

(CHEEKATI MANAVENDRANATH ROY, J)

R.S. MALEK