

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO.14471 of 2024

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PARMAR MADHUBEN RAMESHBHAI
Versus
STATE OF GUJARAT & ANR.

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Appearance :

MR DHAVAL A MEHTA for the Applicant.
MR HARDIK H DAVE for the Applicant.
for the Respondent No.2.
MS JYOTI BHATT, APP for the Respondent No.1.

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 29/07/2024
ORAL ORDER

Learned advocate Mr. Parth Kikani appearing for Mr. Dave for the applicant draws attention of this Court that as per the averments made in Ground No.2 of the petition which would indicate that the cheque drawn on Syndicate Bank was a valid document only till 30.6.2021 as per the cut-off date prescribed by Reserve Bank of India upon merger of Syndicate Bank with Canara Bank. However, the cheque for which the proceedings under Section 138 of the Negotiable Instruments Act are initiated was deposited in the month of October 2021 and, therefore, the date on which the cheque was deposited, the cheque was not a valid instrument. By making the above submission, he prayed for grant of ad-interim relief.

Considering the above submission, **issue notice to the respondents returnable on 17.9.2024.** Learned Additional

Public Prosecutor waives service of notice on behalf of respondent No.1 – State. Direct service to respondent No.2 through concerned Police Station is permitted.

In the meantime, there shall be ad-interim relief in terms of paragraph 7 (C) qua the applicant.

(NIRZAR S. DESAI,J)

SAVARIYA