

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 9790 of 2025**

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PRATIK GULSHANBHAI ALLAWADI

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR KAMLESH N RAVAL(10220) for the Applicant(s) No. 1

MR SURAJ A SHUKLA(7185) for the Applicant(s) No. 1

MS MAITHILI MEHTA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 17/07/2025****ORAL ORDER**

By way of present petition under Article 226 of the Constitution of India read with Section 528 of the BNSS, the petitioner has prayed for quashing of the FIR being **CR No.11201016240008 of 2024** registered with **CID Crime Surat Zone, Surat City** for the offences punishable under Sections 409, 420 and 120(B) of the Indian Penal Code, 1860 filed at the instance of respondent No.2.

Having heard learned advocate for the petitioner and learned APP for respondent No.1 – State of Gujarat and perusing the record, it appears that present petition is a broker and the allegation is that in collusion of accused No.2 and winning over the trust of the complainant, during the period between 03.08.2023 to 17.10.2023, gray cloth worth Rs.1,65,51,075/- was purchased and payment towards was not made. Further, the complaint is filed belatedly and whatever transaction took place was between accused No.2 and the complainant. Admittedly,

the dispute is concerning commercial transaction and is civil in nature and to recover the amount litigation is filed.

Considering the aforesaid fact, petition deserves consideration.

RULE returnable on **24.09.2025**.

Learned APP waives service of notice of Rule for and on behalf of the respondent – State of Gujarat.

There shall be **interim relief** in terms of **paragraph No.10(B) qua the present petitioner.**

Direct Service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay