

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 9669 of 2026**

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SHEIKH SALIM SHEKHBABU
Versus
STATE OF GUJARAT

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Appearance:

MR DEVARSH P PANDYA(12986) for the Applicant(s) No. 1

MR MEET THAKKAR, PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 21/07/2026**ORAL ORDER**

1. Learned advocate for the applicant submitted that on withdrawal of appointment of Special Public Prosecutor, Mr. Ghariya, one Mr. Vyas was appointed as the Special Public Prosecutor. He, however, showed his inability to continue with the said assignment due to some personal reasons. It was submitted that despite the time-limit granted by the Hon'ble Apex Court for conclusion of trial, in failure liberty was reserved in favour of the accused to approach again seeking bail. It is submitted that due to the reason of change of Special Public Prosecutor, the trial could not progress, substantially.

1.1 It was submitted that during the tenure of Mr. Ghariya, who was appointed as Special Public Prosecutor in the year 2021 and was re-appointed in the year 2024, pursuant to the notification, around 40 witnesses are

examined and as per the instructions received, now, only material witness, to the extent of 25 in numbers, remain to be examined and as per the directions of the Hon'ble Apex Court, trial is to be completed within the short span of time.

1.2 Learned APP placed on record a communication addressed by the Under Secretary, Home Department, seeking opinion of the learned DGP, with regard to the application of the present applicant qua continuation of Mr. Ghariya, as Special Public Prosecutor.

2. Learned APP seeks time to get the instructions from the concerned DGP with regard to the said opinion and to take a decision, accordingly.

3. Considering the above submissions, let this matter be listed on **27th July, 2026**. In the meanwhile, appropriate decision shall be taken by the State with regard to the continuation of the Special Public Prosecutor.

UMESH/-

(M. K. THAKKER,J)