

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 10155 of 2025**

=====

ASADKHAN SULTANKHAN PATHAN
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

MR IH SYED Senior Advocate assisted by Mr. AMAAN SYED(14385) for the
Applicant(s) No. 1
MR. YUVRAJ BRAHMBHATT, APP for the Respondent(s) No. 1

=====

CORAM: HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 22/07/2025
ORAL ORDER

1. Heard Mr. I.H. Syed , learned Senior Advocate assisted by Mr. Amaan Syed, learned advocate appearing for the applicant and learned APP for the State.
2. By way of this application under Section 528 of the BNSS, the applicant has prayed to quash and set aside the **FIR being C.R. No.11196008240082 of 2024 registered with J.P. Road Police Station, Vadodara** as well as all the consequential proceedings arising therefrom.
3. It appears that the allegation against the present applicant is that a sale deed was executed between the complainant and the present applicant in the name of the complainant's wife, showing the sale consideration as Rs. 7,00,000/- in the sale deed, whereas it is alleged that an amount of Rs. 22,50,000/- was actually paid. The main grievance of the complainant is that Shop No. 4, which was purchased by him, was not found on the 2023 map obtained from the Municipal Authorities.

4. Considering the facts and circumstances of the case and considering the fact that the dispute is private in nature and based on documentary evidence and considering the law laid down by the Hon'ble Apex Court in the case of **Shailesh Kumar Singh v. State of Uttar Pradesh in the case of, 2025 INSC 869, Rikhab Birani & Anr. vs. State of Uttar Pradesh & Anr. reported in 2025 INSC 512, Delhi Race Club (1940) Ltd. & Ors. vs. State of Uttar Pradesh & Anr. reported in 2024 INSC 626,**. Therefore, the matter requires consideration. Hence, **RULE returnable on 25.09.2025**. Learned APP waives service of notice of Rule for the respondent-State. Private respondent be served through concerned police station.

5 Interim relief in terms of para **7(c)** is granted. Direct service is permitted.

(HASMUKH D. SUTHAR,J)

ALI