

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 12375 of 2015**

=====

JANAKBHAI VIRAMBHAI DESAI....Applicant(s)

Versus

STATE OF GUJARAT & 1....Respondent(s)

=====

Appearance:

MS. KRUTI M SHAH, ADVOCATE for the Applicant(s) No. 1

MR CHETNA M SHAH, ADDL.PUBLIC PROSECUTOR for Respondent No. 1

=====

**CORAM: HONOURABLE SMT. JUSTICE ABHILASHA
KUMARI****Date : 01/07/2015****ORAL ORDER**

Heard Ms.Kruti M. Shah, learned advocate for the applicant and Ms.Chetna M. Shah, learned advocate for respondent No.1.

It is submitted that the present impugned FIR is the second FIR that has been registered with substantially same offences in another Police Station. It is submitted that in respect of the first FIR, a quashing petition was preferred by the applicant, in which this Court has issued Rule and granted interim relief. After the order of granting interim relief, the second FIR has been registered for the same

incident and substantially same offence which is impermissible in law by virtue of the judgment of the Supreme Court in the case of **T.T.Antony Vs. State of Kerala and others**, reported in **AIR 2001 SC 2637**.

Issue Rule.

Ms.Chetna M. Shah, learned Additional Public Prosecutor waives service of notice of Rule for respondent No.1.

Interim relief in terms of paragraph-8(C), is granted, qua the applicant.

To be heard with Criminal Misc. Application No.20828/2013.

(SMT. ABHILASHA KUMARI, J.)

Gaurav+