

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 10141 of 2025**

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RAJESH CHIMANLAL LANGALIYA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VIRAT G POPAT(3710) for the Applicant(s) No. 1

MR ROHAN SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 21/07/2025**ORAL ORDER**

Heard learned advocate appearing for the petitioner and learned APP for respondent No.1 – State of Gujarat.

By way of present petition, the petitioner has sought quashing of the FIR being CR No.11210003250641 of 2025 registered with Adajan Police Station, District Surat filed at the instance of respondent No.2 herein – original complainant initially for the offence under Section 305(A) of the Bharatiya Nyaya Sanhita, 2023 and subsequently section 331(3) of the BNS came to be added.

Perusing the record it appears that petitioner is a goldsmith by profession and not named as an accused in the impugned FIR filed by the respondent No.2 against her husband regarding theft of jewelry which was thereafter sold to the present petitioner and present petitioner has purchased the said jewelry. The FIR is filed initially for the offence under Section 305(a) of the BNS on

18.06.2025 and thereafter on 22.06.2025, section 331(3) of the BNS came to be added and except this there is no any other allegation against the present petitioner. In absence of knowledge and dishonest intention on the part of the petitioner or theft committed by the present petitioner and hence, without further discussing into merits and considering the allegations leveled in the FIR, petition deserves consideration.

Hence, **RULE** returnable on **25.09.2025**.

Learned APP waives service of notice of Rule for and on behalf of the respondent No.1 – State of Gujarat.

Respondent No.2 to be served through the concerned police station.

In the meantime, there shall be **interim relief** in terms of **paragraph No.14(c)** of the petition ***qua* the petitioner only**.

Direct service is permitted.

(HASMUKH D. SUTHAR, J.)

Ajay