

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO.
11598 of 2025

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MANISHA RAKESH SARAWAGI DIRECTOR OF CUBATICS
PROCESSORS INDIA PVT. LTD.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR SAGAR D VAGHASIYA(13308) for the Applicant(s) No. 1
APP MR ROHAN H RAVAL for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 25/08/2025
ORAL ORDER

By way of present petition under Articles 226 and 227 of the Constitution of India read with Section 528 of the BNSS, the petitioner has prayed for quashing of the impugned complaint / proceedings being Criminal Misc. Application No. 1278 of 2024 filed by respondent No.2 before the Court of learned Judicial Magistrate, First Class, Palsana, District Surat for the offence under Sections 138 and 141 of the Negotiable Instruments Act, 1881.

Having heard learned advocate for the petitioner and learned APP for respondent No.1 - State of Gujarat and perusing the record, it appears that the cheque was issued on 14/02/2024 in the favour of the complaintant-compnay however, prior to that, on 30/01/2024, the present petitioner had discontinued to be the Director of the accused company i.e. prior to the issuance of the cheque in question.

Considering the aforesaid fact, petition deserves consideration.

Rule returnable on **10.10.2025**.

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.

There shall be **interim relief** in terms of **paragraph No.9(C) *qua* petitioner only**.

(HASMUKH D. SUTHAR,J)

Kaushal Rathod