

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION NO. 8473 of 2022

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VEENA RAKESH GUPTA

Versus

STATE OF GUJARAT

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Appearance:

MR MIHIR JOSHI SENIOR COUNSEL WITH MR. BHADRISH S RAJU(6676)

for the Applicant(s) No. 1

for the Respondent(s) No. 2

MS MOXA THAKKAR, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA

Date : 30/08/2022

ORAL ORDER

[1] Heard Mr. Mihir Joshi, learned Senior counsel for the applicant.

[2] Mr. Mihir Joshi, learned Senior Counsel for the applicant, at the outset, submitted that there is no privity of contract between the applicant and the complainant nor even any kind of understanding between the parties. Mr. Joshi, relying upon the version of the F.I.R., submitted that as such, there is no allegation that even a sum of Rs.51 Lakh paid by the complainant to the present applicant in furtherance of the alleged transactions.

[3] Mr. Joshi also submitted that as such, the lands in question were sold even prior to the lodgement of the F.I.R. two years ago. Mr. Joshi

also submitted that the applicant, being a lady, has no clue about the alleged transactions between the complainant and the accused Nos.3 and 4.

[4] Considering the aforesaid submissions of the learned Senior Counsel for the applicant and the version of the F.I.R., *prima facie*, it appears that the present applicant seems to have not entered into any sort of agreement and/or understanding with the complainant for selling the lands in question.

[5] Let Notice be issued to the respondents, returnable on 6th October 2022. Ms. Moxa Thakkar, learned A.P.P. waives service of notice for and on behalf of the respondent No.1 – State of Gujarat. Direct service through the concerned police station is permitted.

[6] In the meantime, there shall be an ad-interim relief in terms of para 10(C).

CHANDRESH

(NIRAL R. MEHTA,J)