

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING &
SET ASIDE FIR/ORDER) NO. 15842 of 2019**

With

R/CRIMINAL MISC.APPLICATION NO. 19111 of 2019

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DEVAYATBHAI SOMATBHAI VALA

Versus

STATE OF GUJARAT

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Appearance:

MR ASHISH M DAGLI(2203) for the Applicant(s) No. 1,2

MR NK MAJMUDAR(430) for the Respondent(s) No. 2

MS MAITHILI MEHTA, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE CHEEKATI
MANAVENDRANATH ROY**

Date : 08/02/2024

ORAL ORDER

At the time of hearing, learned counsel for the second respondent - *de facto* complainant submits that there was conversation that was recorded between the *de facto* complainant and the accused where the accused stated that they would arrange a loan of Rs.4 crore for the *de facto* complainant and that the *de facto* complainant has to execute an Agreement to Sell in their favour towards security for the said loan.

Although, the learned counsel for the second respondent

submits that the said CD containing the conversation was earlier handed over to the Investigating Officer, the learned Additional Public Prosecutor, on instructions, submits that it was not handed over to the Investigating Officer. Therefore, the counsel for the second respondent requests for time to hand over the said CD to the Investigating Officer. Thereafter, the said conversation shall be translated into English language and the said translated version along with the original CD has to be placed before the Court for examination.

Accordingly, stand over to **28th February 2024**. Interim relief, if any, shall be continued till then.

[Cheekati Manavendranath Roy, J.]

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