

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 16181 of 2019

With

R/CRIMINAL MISC.APPLICATION NO. 17660 of 2019

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RAMESH VERSHIBHAI DESAI

Versus

STATE OF GUJARAT

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Appearance:

MR BM MANGUKIYA(437) for the Applicant(s) No. 1,2,3

MS BELA A PRAJAPATI(1946) for the Applicant(s) No. 1,2,3

MR RJ GOSWAMI(1102) for the Respondent(s) No. 2

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 06/06/2022

ORAL ORDER

In Criminal Misc. Application No.16181 of 2019, on 23.8.2019, co-ordinate Bench passed the following order:

"Notice returnable on 10.10.2019. Learned APP waives service of notice for the respondent no.1 - State. Direct service through the concerned police station qua respondent no.2 is permitted.

Meanwhile, the Investigating Officer is directed to proceed further with the investigation. Necessary report/draft charge-sheet shall be filed on or before the next date of hearing.

It is directed that no coercive steps shall be taken against the applicants. The applicants shall also cooperate with the investigation. If the applicants do not cooperate with the investigation, the Investigating Officer shall inform the same to the concerned APP so that appropriate application can be filed."

In Criminal Misc. Application No.17660 of 2019, on 18.9.2019, co-ordinate Bench passed the following order:

"NOTICE returnable on 10.10.2019. Shri K.P. Rawal, learned Additional Public Prosecutor, waives service of notice on behalf of respondent no.1 – State.

On the returnable date, the Investigating Officer is directed to remain present before the Court along with the papers of investigation. Till then, no coercive steps shall be taken against the applicants. However, it is made clear that the applicants shall cooperate with the investigation, failing which, the protection granted to them may be vacated.

Direct service is permitted so far as respondent no.2 is concerned, to be served through the Investigating Officer."

Today, learned advocate Mr. B.M.Mangukiya has filed leave note and learned advocate Mr. R.J.Goswami has filed sick note.

Ms. Maithili Mehta, learned APP is directed to inquire about the progress in respect of both the applications and if any report or draft charge sheet is prepared by the Investigating Officer, the APP is directed to place the same on record by the next date of hearing.

Stand over to 13.6.2022.

P. SUBRAHMANYAM

(NIRZAR S. DESAI,J)