

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 14218 of 2016

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BHUPENDRABHAI VRAJLAL SHUKLA....Applicant(s)

Versus

STATE OF GUJARAT & 1....Respondent(s)

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Appearance:

MS. KRUTI M SHAH, ADVOCATE for the Applicant(s) No. 1

MS. PAYAL M TUVAR, ADVOCATE for the Applicant(s) No. 1

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM: **HONOURABLE MS JUSTICE SONIA GOKANI**

Date : 21/06/2016

ORAL ORDER

According to the petitioner FIR being C.R.No.I-45 of 2015 registered with Kamalabaug police station, District: Porbandar for the offence punishable under sections 406,409,420, 465, 467, 468, 471 and 120-B of the Indian Penal Code is contrary to the decisions rendered by the Apex Court in the case of **T.T. Antony vs. State of Kerala and others** reported in **AIR 2001 SC 2637** and in the case of **Amitbhai Anilchandra Shah vs. Central Bureau of Investigation and another** reported in **AIR 2013 SC 3794**.

Learned advocate Ms. Kruti Shah for the applicant

submits that in case of co-accused, this Court in Criminal Miscellaneous Application No.12375 of 2015 has issued rule and stayed proceedings.

Issue Rule returnable on 7.7.2016. In the meantime, no coercive steps shall be taken against the applicant.

Investigating officer shall follow the dictum laid down by the Apex Court in the case of ***Joginder Kumar vs. State of Uttar Pradesh*** reported in **(1994) 4 SCC 260**. Investigating Officer shall place on record the papers of chargesheet of the first FIR and also provide the details of the total amount involved in the second and the third FIR.

(MS SONIA GOKANI, J.)

SUDHIR