

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 18412 of 2021**

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BANESINH SURSINH DODIYA

Versus

THE STATE OF GUJARAT

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Appearance:

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

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

for the Respondent(s) No. 2

MR MITESH AMIN PP WITH MRS KRINA CALLA APP for the Respondent(s)
No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA**Date : 13/10/2021****ORAL ORDER**

1. Heard Mr. BM Mangukiya, learned advocate assisted by Ms. Bela A Prajapati, learned advocate for the applicant and Mr. Mitesh Amin, learned PP assisted by Mrs. Krina Calla, learned APP for the respondent State.

2. By way of this petition, present applicant prays for quashment of the FIR registered with Valia Police Station for the offences punishable under Sections 120B, 406, 408, 409 of IPC.

3. A bare perusal of the FIR would show that it is alleged against the applicant that he had received monetary benefits of the sale transaction made at the behest of co-accused Mr. Surjitsinh, who was Ex-Chairman of Ganesh Sugar Cooperative Society Ltd. The record indicates that the issue raised in the FIR being examined and dealt with by the Registrar, Cooperative Society and had given clean chit to the alleged transaction.

Thus, matter deserves consideration. Let notice be issued to the respondents returnable on 02.12.2021. Learned APP waives service of notice on behalf of respondent State. In the meantime and till the returnable date, no coercive steps against the applicant. The investigation may continue. The applicant shall remain present before the IO on 21.10.2021. Direct service permitted.

P.S. JOSHI

(ILESH J. VORA,J)