

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 11026 of 2025**

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CHIRAG PAWANKUMAR MEHTA & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR SARVASWA R CHHAJER(12626) for the Applicant(s) No. 1,2

MR TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 21/08/2025****ORAL ORDER**

1. By way of this petition, the petitioners have prayed for quashing and setting aside the complaint dated 18.05.2023 filed under Section 96 of the Companies Act and Criminal Case No.159912/2024 registered in response to the said Criminal Complaint and further the summons issued against the petitioner by learned Addl. Chief Judicial Magistrate, Ahmedabad City, in C.C. No.159912/2024.

2. From the record, it appears that the impugned complaint is filed as the company and other accused failed to hold the Annual General Meeting for the financial years ending on 31.12.2019 and 31.12.2020 within the stipulated time period and due to this failure on the part of the company, impugned complaint is lodged.

3. It is the case of the petitioners that, both the petitioners are appointed as Chief Financial Officer and Company Secretary respectively w.e.f. 01.07.2021, obviously after the aforesaid failure on the part of the Company. Therefore, they were not associated with the Company at the relevant point of time.

4. In view of the facts of the case, petition deserves consideration. Hence, **Rule**, returnable on **09.10.2025**. Ld. APP waives Rule for the

respondent State. Meanwhile, **ad-interim relief in terms of para 25 (B) is granted**. Respondent No.2 to be served through the concerned Police Station.

(HASMUKH D. SUTHAR,J)

SUCHIT