

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 11284 of 2021**

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DIVYANG GOPALBHAI SONI

Versus

STATE OF GUJARAT

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1

for the Respondent(s) No. 2

PUBLIC PROSECUTOR(2) for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE ILESH J. VORA****Date : 23/11/2021****ORAL ORDER**

Heard Mr. P.P.Majmudar, learned counsel for the Petitioner.

2. By way of this petition, the Petitioner prays for quashing of private complaint being Criminal Case No.42967/2016 filed under Section 138 of the Negotiable Instruments Act, which is pending before Addl. Chief Judicial Magistrate, Vadodara.

3. Present Petitioner is accused No.2 in the said complaint. Form at page 51 would show that Harshbhai Gopalbhai Soni and Gopalbhai Shankarlal Soni are the Directors of Shree Mukht Jewelers Baroda Pvt. Ltd. Thus, *prima facie*, it appears that accused No.2 (present Petitioner) has been joined as accused mainly on the ground that he happens to be brother of accused No.1 Harshbhai Gopalbhai Soni. Thus, matter deserves consideration. Hence, **Notice**, returnable on **21.03.2022**. Learned APP waives Notice for the Respondent State. Meanwhile, ad-interim relief in terms of para 14(B) is granted qua the present Petitioner.

(ILESH J. VORA,J)

SUCHIT