

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 16701 of 2024**

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ANIRUDHHASINH SAJUBHA JADEJA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. KISHAN H DAIYA(6929) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MS. MAITHILI MEHTA, ADDL. PUBLIC PROSECUTOR for the

Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 27/08/2024****ORAL ORDER**

Heard learned advocate Mr. Zubin Bharda with learned advocate Mr. Mohd. Abrar A. Saiyed for learned advocate Mr. Kishan Daiya for the applicant. Learned advocate Mr. Bharda states that the FIR itself shows the admission on the part of the complainant that he has borrowed the huge amount from the present petitioner and was paying interest. However, as the complainant did not want to repay the amount any further, an FIR is registered against the present petitioner and other persons who are also shown as accused in the FIR. Learned advocate Mr. Bharda, thereafter took this Court to the credentials of the complainant and submitted that the against the complainant one of the owner of the Aangadiya firm has registered an FIR in Maharashtra about misappropriation of the amount and even public notice is also issued in news papers that he

has syphoned the amount from his Angadiya pedhi and therefore, there should not be any transactions with him. Apart from the aforesaid public notice, learned advocate Mr. Bharda also drew attention of this Court to the public notice issued by the father of the complainant himself that there should not be any financial transaction with him as he has no relations with the family. Learned advocate Mr. Bharda, upon overall reading of the aforesaid FIR and public notices submitted that the complainants' credential itself doubtful and there is clear admission in the FIR that he has borrowed huge amount right from 2016 for development of his business and therefore, the FIR is registered only with a view to see that the complainant may not require to pay back the outstanding dues of the petitioner and therefore, the same is misuse and abuse of process of law.

In view of the above submission, issue NOTICE to the respondents returnable on 08.10.2024. Learned APP waives service of notice for and on behalf of the respondent – State.

In the meantime, there shall be ad-interim relief in terms of paragraph no. 17 (C) qua the present applicant only.

Direct service is permitted.

(NIRZAR S. DESAI,J)

VARSHA DESAI