

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 17469 of 2024**

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AMIT LAXMIPRASAD VASAVADA

Versus

STATE OF GUJARAT

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Appearance:

ADITYA A GUPTA(7875) for the Applicant(s) No. 1
MR BHARGAV PANDYA ADDITIONAL PUBLIC PROSECUTOR for
the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 06/09/2024

ORAL ORDER

1.Learned Senior Counsel Mr. I. H. Syed appearing with Mr. Aditya Gupta for the applicants points out that FIR was registered in respect of the Ayurvedic product having same batch and as the alcohol contents was less than permissible limit as per the report of the Central Drug Laboratory, the petitioner i.e. Amod Anil Bhave had preferred Special Criminal Application No.4825 of 2024 which was dismissed by coordinate Bench of this Court vide order dated

19.4.2024. Against the said order, petitioner of the said petition preferred Special Leave Petition (Criminal) No.6939 of 2024 before the Hon'ble Supreme Court and vide order dated 14.5.2024, the Hon'ble Supreme Court while issuing notice has stayed further proceedings pursuant to the order passed by the coordinate Bench of this Court.

2. Considering the aforesaid submission as well as considering the fact that present FIR is in respect of the same drug and having same batch number but in respect of different FIR, issue **NOTICE** to the respondents returnable on **9.9.2024**. Learned Additional Public Prosecutor waives service of notice on behalf of respondent No.1 - State. In the meantime, there shall be ad-interim relief in terms of paragraph 9(b) qua the applicants. **Direct service, Today is permitted.**

(NIRZAR S. DESAI,J)