

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 18653 of 2024**

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INDIRA CHHAGANLAL MAHESHWARI
Versus
STATE OF GUJARAT & ORS.

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Appearance:

CHETAN D KARIYA(8819) for the Applicant(s) No. 1
MR. TIRTHRAJ PANDYA, ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 24/09/2024

ORAL ORDER

Heard learned advocate Mr. Chetan D. Kariya for the applicant.

By way of this application, the applicant has prayed for quashing and setting the process issued by the learned Additional Chief Judicial Magistrate, Jamnagar in Criminal Case No. 10139 of 2019 on 18.01.2020 on the ground that the applicant who is shown as authorized signatory in the cheque but her signature was already withdrawn by the company vide communication dated 09.03.2019 and the Bank had acknowledged the same on the same day and therefore, she was not the authorized signatory of the company. It was also pointed out by learned advocate Mr. Kariya that the Coordinate Bench of this Court vide order dated 10.11.2023 in Criminal Misc. Application No. 20550 of 2023 has protected the

applicant and hence, considering the fact that the present FIR is in respect of same transaction but in respect of different cheque, similar relief be granted to the applicant.

Considering the aforesaid submission, issue Notice to the respondents returnable on 03.12.2024. Learned Additional Public Prosecutor waives service of notice on behalf of respondent – State. Direct service is permitted. Private respondent be served through the concerned police station.

In the meantime, there shall be ad-interim relief in terms of paragraph no. 12 (B) qua the present applicant only.

To be heard with Criminal Misc. Application No. 20550 of 2023.

VARSHA DESAI

(NIRZAR S. DESAI,J)