

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 13128 of 2024

With

R/SPECIAL CRIMINAL APPLICATION NO. 13152 of 2024

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RIYA KAILASH SHREECHAND PANJABI

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR AFTABHUSEN ANSARI(5320) for the Applicant(s) No. 1

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 09/10/2024

COMMON ORAL ORDER

1. Heard learned advocate Mr. Aftabhusen Ansari for the petitioner.
2. Learned advocate Mr. Ansari pointed out that the co-accused who role is similar to the present applicant and preferred Special Criminal Application No.5355 of 2024 for quashing of the FIR and further proceedings and vide order dated 30.04.2024, he is protected. Considering the nature of offence as well as role of the present applicant which is similar to that of the co-accused as well as considering the fact that now FSL report also comes and the product

is determined not to be bio-diesel, present petitioner is required to be protected as once the FIR is based on the fact that the product ceased from the petitioner is bio-diesel upon FSL examination and the same is not found to be bio–diesel, the proceedings against the petitioner would be futile exercise and therefore the petitioner is required to be protected.

3. Considering the above submissions, issue rule to the respondents.

4. In the meantime, there shall be ad interim relief in terms of para 6 (c) of the present petition. To be heard with Special Criminal No.5355 of 2024.

Vikramsinh Amarsinh

(NIRZAR S. DESAI,J)