

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 12937 of 2026**

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UMANGBHAI HASMUKHLAL SHAH
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR ANEEQ MASHHADI(11827) for the Applicant(s) No. 1
FOUZAN N SONIWALA(8442) for the Applicant(s) No. 1
MR NIRAJ SHARMA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER**Date : 03/09/2026****ORAL ORDER**

1. Learned advocate for the applicant submits that the impugned complaint is filed alleging that the applicant did not deposit the passport though the condition was imposed at the time of granting bail. Also alleged that various exemption applications are filed for mother, who subsequently fled away and settled at USA. It is submitted by learned advocate that the mother was passed away on 16th February 2017 and if the complainant is having grievance for breach of the condition imposed by the learned court, then he could have raised the grievance instead of filing the separate complaint for that. It is submitted that the applicant has deposited the passport before the learned trial court as per the condition imposed by this court while granting the anticipatory bail. It is submitted that by taking cognizance for the offence, wherein the allegations related to the previous FIR would

amount to double jeopardy and would hit by the rule of sameness.

2. Considering the submissions, Notice returnable on 8th December 2026.

Ad-interim relief in terms of Para 19(c).

K. S. DARJI

(M. K. THAKKER,J)