

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 12914 of 2025

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ANKIT NITINBHAI DALAL
Versus
STATE OF GUJARAT & ANR.

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Appearance:

JIGNESHKUMAR P PANDAV(8297) for the Applicant(s) No. 1
MR HARDIK MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

Date : 22/09/2025

ORAL ORDER

1. Heard learned advocates for the respective parties.
2. By way of this application under Section 528 of the BNSS, the applicant has prayed to quash and set aside the complaint being I-C.R. No.11206020250585 of 2025 registered with Kadi Police Station, Mahesana, as well as all the consequential proceedings arising therefrom.
3. It appears from the record that the complaint has been filed against ten accused persons, wherein it is alleged that the deceased had borrowed money from them at a higher rate of interest, and when he failed to repay, the accused extorted money from him and kept demanding repayment. However, prima facie, it appears that apart from borrowing money and a legitimate demand on the part of the applicant, no other allegations such as instigation or mens rea are revealed against the present applicant.

4. Considering the facts and circumstances of the case and allegations leveled against the petitioner and in view of judgment passed by the Hon'ble Apex Court in the case of **Mahendra Awase vs the State Of Madhya Pradesh, 2025 INSC 76 and Ayyub & Ors v. State of Uttar Pradesh, 2025 INSC 168**, issue requires consideration. Hence, **RULE returnable on 26.11.2025**. Learned APP waives service of notice for the respondent-State. Respondent No.2 be served through concerned police station.

5. No coercive steps shall be taken against the present petitioner. However, the petitioner is directed to cooperate with the investigation. Direct service is permitted.

ALI

(HASMUKH D. SUTHAR,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ISTAYAK ALI(HC01093), PRIVATE SECRETARY, at High Court of Gujarat on 22/09/2025 16:51:57