IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE FIR/ORDER) NO. 20180 of 2025

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RAM CHARAN COMPANY PRIVATE LIMITED & ORS.
Versus
STATE OF GUJARAT & ANR.
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Appearance:
MR. ANANTANAND J SINGH(10046) for the Applicant(s) No. 1,2,3
MS AKANKSHA U TIWARI(11499) for the Applicant(s) No. 1
PARTH Y RAVAL(9535) for the Applicant(s) No. 1
MR TRUPESH KATHIRIYA, PUBLIC PROSECUTOR Respondent(s) No. 1
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CORAM:**HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

Date : 03/10/2025

ORAL ORDER

Rule. Learned APP waives service for the Respondent-State.

1. Learned Advocate, Mr. Singh, appearing for the petitioners, under the instructions, submitted that when the judgment and order dated 06.09.2025, was passed by the Additional Chief Judicial Magistrate Court, Mahesana, in Criminal Case No. 2741 of 2020, whereby, the petitioners are convicted for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, as the petitioners were not present, non-bailable warrants are issued against them and therefore, the petitioners have approached this Court.

1.1 Learned Advocate, Mr. Singh, under the instructions, submitted that the petitioners are ready and willing to

deposit Rs.1,03,604/-, i.e. 20% of the cheque amount of Rs.5,18,020/-, before the concerned trial Court within ***two weeks*** from today, and therefore, on that condition, non-bailable warrant issued against the petitioners be converted into bailable warrant, as the petitioners are desirous to file an appeal against the impugned order.

2. Learned APP submitted that in the facts and circumstances of this case, appropriate orders may be passed.

3. Heard. Considering the fact that the petitioners are ready and willing to deposit deposit Rs.1,03,604/-, i.e. 20% of the cheque amount of Rs.5,18,020/-, before the concerned trial Court within ***two weeks*** from today, if, the petitioners deposit the same, the non-bailable warrant issued against them shall stand converted into ***bailable warrant*** in the sum of Rs.5,000/-. Further, if, the petitioner prefers an appeal against the impugned judgment and order, along with an application for bail, the concerned Court shall consider and decide the same on its own merits and in accordance with law, as this Court has not examined the merits of the matter. Rule is made absolute to the aforesaid extent. Direct service is permitted.

(NIRZAR S. DESAI,J)

UMESH/-

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: CHAVDA UMESH(HC00203), Principal pvt Secretary, at High Court of Gujarat on 03/10/2025 17:38:30