

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR LEAVE TO APPEAL) NO. 18723
of 2023**

In R/CRIMINAL APPEAL NO. 2687 of 2023

**With
R/CRIMINAL APPEAL NO. 2687 of 2023**

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STATE OF GUJARAT

Versus

SAVITRIBEN @ SHANTABEN W/O DINESHBHAI VIRJIBHAI RAJIYAGURU

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Appearance:

MS VRUNDA C SHAH, APP for the Applicant(s) No. 1
for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER

Date : 06/12/2023

COMMON ORAL ORDER

ORDER IN CRIMINAL MISC. APPLICATION:

1. This is an application by the applicant - original complainant under Section 378(3) of the Code of Criminal Procedure, 1973, seeking leave of this Court to present an appeal against the judgment and order of acquittal dated 31.07.2023 passed by the learned Sessions Judge, Jamnagar in Sessions Case No.58 of 2010.

2. Heard, learned advocates appearing for respective parties and perused the impugned judgment and order of the trial Court.

3. Learned APP submits that the Criminal Appeal being No.1994 of 2023 filed by the victim Dipakbhai Dineshbhai @ Babubhai Virajbhai Rajyguru is admitted on 23.08.2023 by the co-ordinate bench of this Court.

4. Considering the avernments made in the application and submissions made by the learned APP, this Court finds that there is some arguable case in favour of the applicant, therefore, leave, as prayed for, is granted. This application is allowed.

ORDER IN CRIMINAL APPEAL:

1. The appeal is ***admitted***.

2. ***Issue bailable warrant*** in the sum of Rs.5,000/- (Rupees Five Thousand only) against the respondent - original accused.

3. Record and proceedings be called for from the concerned court. Registry is directed to list the Criminal Appeal in seriatim.

To be heard with the Criminal Appeal No.1994 of 2023.

A. B. VAGHELA

(M. K. THAKKER,J)