

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 9629 of 2019**

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DIVYESH ANIL MISTRY

Versus

STATE OF GUJARAT

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Appearance:

MR SALIL M THAKORE(5821) for the Applicant(s) No. 1

for the Respondent(s) No. 2

MR PRANAV TRIVEDI, APP (2) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE S.H.VORA****Date : 25/10/2019****ORAL ORDER**

Prima facie, it appears that the learned Chief Judicial Magistrate, Vadodara has passed an order under section 156(3) of Code of Criminal Procedure on the premise that it is necessary to recover muddamal and thus, entrusted inquiry to Cyber Crime Police Station. The impugned order does not reflect as to what weighed with the learned Magistrate to order to investigate under section 156(3) of Code of Criminal Procedure and thus, the order is cryptic in nature and unreasoned. Therefore, present application deserves consideration.

Issue **Notice** returnable on 12.02.2020. Learned APP waives service of notice on behalf of the respondent – State.

Meanwhile, relief in terms of para – 18(B) is granted. Direct service is permitted.

(S.H.VORA, J)

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