

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC. APPLICATION NO. 23232 of 2021

NARESHBHAI MAHESHBHAI RABARI

Versus

STATE OF GUJARAT

Appearance:

MR. AAMIR S PATHAN(7142) for the Applicant(s) No. 1

MR LB DABHI, APP (2) for the Respondent(s) No. 1

CORAM:**HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI**

Date : 06/01/2022

ORAL ORDER

Heard learned advocate Mr.Aamir S. Pathan for the applicant.

It is submitted that the impugned FIR is nothing but a gross abuse of process of the Court and ingredients of the alleged offences are prima-facie not made out. Learned advocate has referred the FIR which is placed on record at Page-16 of the compilation which has been filed by the sister of the complainant on 10.02.2020 against one Alpeshbhai Mafatbhai Patel and others. Learned advocate has also referred the Special Civil Suit filed by the present applicant against the complainant and others. Copy of the plaint is placed on record at Page-22 of the compilation. It is submitted that the present applicant has been falsely implicated in the impugned FIR.

In view of the aforesaid submissions canvassed by the learned advocate for the applicant, issue

Notice returnable on 12.04.2022. Learned APP waives service of notice for the respondent State.

Till the returnable date, no coercive steps shall be taken against the applicant. However, it is open for the Investigating Agency to proceed with the investigation and the applicant shall co-operate with the investigation.

(VIPUL M. PANCHOLI, J)

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