

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 14659 of 2024**

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JATIN BALCHANDRA DESAI

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR YASH K DAVE(10269) for the Applicant(s) No. 1

VISHAL K ANANDJIWALA(7798) for the Applicant(s) No. 1

MS KRINA CALLA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 29/10/2024****ORAL ORDER**

1. Learned advocate Mr. Vishal K. Anandjiwala for the applicant submits that the present applicant is arraigned as accused in the impugned FIR under Sections 406, 420 and 114 of the Indian Penal Code. The complaint is filed in the year 2024, whereby the alleged incident initially has taken place in the year 2019. Moreover, he has drawn the attention of this Court towards the order passed by the Co-ordinate Bench of this Court in the proceedings pursuant to Section 138 of the Negotiable Instrument Act and also other material; like documents filed before the Registrar of Companies and the applicant has resigned as partner on 07.11.2016, which was also acknowledged by the firm in its supplemental LLP agreement as well as by the Registrar of

Companies.

2. Learned APP for the State submits that the FIR is at the initial stage and investigation is going on, therefore, no interference be made by this Court at this stage.

3. Considering the submissions made by at the bar and averments made in the application, matter requires consideration. **Rule** returnable on 16.12.2024. Learned APP waives service of notice for and on behalf of the respondent – State.

4. In the meantime, ad-interim relief in terms of Para : 3(iii) of this application is granted.

Direct service is permitted.

M.H. DAVE

(SANDEEP N. BHATT,J)