

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 25967 of 2025****With****CRIMINAL MISC.APPLICATION (FOR STAY) NO. 1 of 2026
In R/CRIMINAL MISC.APPLICATION NO. 25967 of 2025**

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M/s DHANANJAY FINANCE LIMITED & ORS.**Versus****STATE OF GUJARAT & ANR.**

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Appearance:**MR ASHISH M DAGLI(2203) for the Applicant(s) No. 1,2,3,4****MR DAXAY D PATEL(6633) for the Applicant(s) No. 1,2,3,4****MS. CHETNA SHAH, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS**Date : 25/02/2026****ORAL ORDER**

1. Heard learned advocate Mr. Daxay Patel appearing for the applicants.

2. Perused the entire material placed on the record along with the impugned complaint. Upon persual of the entire material placed on the record, it prima- facie appears that the respondent No.2 has filed a complaint against the present applicants, for the offences punishable under Section 138 read with Section 142 of the Negotiable Instruments Act.

3. It is submitted that without serving the statutory notice under Section 138 of the Negotiable Instruments Act, the impugned complaint has been filed, and the learned Magistrate, without considering the aforesaid facts, issued the process.

4. Issue **NOTICE** to the respondents, making it returnable on 17.03.2026.
5. Learned APP Ms. Chetna Shah waives service of notice for and on behalf of the respondent no.1 – State of Gujarat.
6. In the meantime, let there be an ad-interim relief in terms of paragraph no. 14(C) qua the present applicants, till the next date of hearing.

(VIMAL K. VYAS, J)

prk