

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 15569 of 2025**

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RASHMIKANT BHIKHALAL KOTHARI
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR SARVASWA R CHHAJER(12626) for the Applicant(s) No. 1
MS JYOTI BHATT, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 22/01/2026****ORAL ORDER**

1. By way of this petition, the petitioners have prayed for quashing and setting aside the complaint dated 18.05.2023 filed under Section 96 of the Companies Act and Criminal Case No.159912/2024 registered in response to the said Criminal Complaint.

2. From the record, it appears that the impugned complaint is filed as the company and other accused failed to hold the Annual General Meeting for the financial years within the stipulated time period and due to this failure on the part of the company, impugned complaint is lodged.

3. It is the case of the petitioner that the petitioner herein had been appointed as a Non-Executive Director with effect from 01.06.2021 that is after the aforesaid failure on the part of the company to hold its AGM(Annual General Meeting).

4. Having regard to the aforesaid aspect, issue Rule, returnable on 08.05.2026. Ld. APP waives Rule for the respondent State. Meanwhile, ad-interim relief in terms of para 26(B) is granted. Respondent No. 2 to be served through the concerned Police Station.

SAKSHI MAURYA

(M. R. MENGDEY,J)