

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**  
**R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET ASIDE**  
**FIR/ORDER) NO.24970 of 2024**

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SHAILESHBHAI MANIBHAI PATEL & ANR.  
Versus  
STATE OF GUJARAT & ANR.

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Appearance :  
MR MAHARSHI PATEL FOR MS SHIRALI M PATEL for the Applicant  
Nos.1,2  
MR YUVRAJ BRAMBHATT, APP for the Respondent No.1.

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**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

Date : 22/07/2025  
ORAL ORDER

Learned advocate Mr. Maharshi Patel states that the applicants are the victims of the scam and they are not the beneficiaries and they have only introduced the complainant and collected the money and thereafter, sent the said money to the other accused persons by way of RTGS and, therefore, they are falsely implicated in the offence in question as the applicants have not received any money from the complainant or any other person. Mr. Patel further submitted that even the complainant tried to commit suicide also has survived and, therefore, the present FIR is nothing but a systematic design to ensure that the amount that he has lost can be recovered from the applicant and other persons and, therefore, the FIR is nothing but a parallel recovery proceedings to recover the amount which the complainant has allegedly invested and, therefore, the applicant may be protected.

2. Considering the above submission as well as the

documents available on record, **issue notice to the respondents returnable on 12.8.2025**. Learned Additional Public Prosecutor waives service of notice on behalf of respondent No.1 - State. Direct service to respondent No.2 through concerned Police Station is permitted.

In the meantime, there shall be ad-interim relief in terms of paragraph 7 (C) qua the applicants.

**(NIRZAR S. DESAI,J)**

SAVARIYA