

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE  
FIR/ORDER) NO. 27212 of 2025**

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INDIRA CHHAGANLAL MAHESHWARI

Versus

STATE OF GUJARAT &amp; ANR.

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Appearance:

MR. CHETAN D KARIYA(8819) for the Applicant(s) No. 1

MR. MANAN MAHETA, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS****Date : 08/01/2026****ORAL ORDER**

1. Heard learned advocate Mr.Chetan Kariya appearing for the applicant. It is submitted that the private complaint for the offence under Section 138 read with Section 141 of the Negotiable Instruments Act, 1881, has been filed by the complainant on 19.08.2021, pursuant to which the learned Magistrate, vide order dated 21.09.2023, issued the process in the Criminal Case No. 2733 of 2023.

2. Learned advocate Mr.Kariya has submitted that the present applicant is neither the Director of the Company nor has she signed the cheque. It is further submitted that without

considering the aforesaid facts, the learned Magistrate has issued the process against the present applicant.

3. It is also submitted that the applicant was not the authorized signatory of the Company from 09.03.2019 onwards and her authority had been withdrawn, whereas the cheque in question has been issued on 05.07.2021.

4. Issue **NOTICE** to the respondents, making it returnable on **18.03.2026**.

5. Learned APP Mr.Manan Maheta 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 11(B) of the application till the next date of hearing.

**(VIMAL K. VYAS, J)**

DEEPAK GEHLOT