

ITEM NO.60

COURT NO.1

SECTION II-E

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL)..... Diary No(s).10942/2026

[Arising out of impugned final judgment and order dated 12-02-2026 in SCRA(D) No.2024/2026 passed by the High Court of Gujarat at Ahmedabad]

ASHOKBHAI HARIBHAI GAJERA

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

(IA No. 64712/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 64715/2026 - EXEMPTION FROM FILING O.T., IA No.64709/2026 - PERMISSION TO FILE PETITION (SLP/TP/WP/..)

Date : 26-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Mr. Mukul Rohatgi, Sr. Adv.  
Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. I.H. Syed, Sr. Adv.  
Mr. Saurabh Agrawal, AOR  
Mr. Aniq Kadri, Adv.  
Mr. Amaan Syed, Adv.

For Respondent(s) :Mr. Siddhartha Aggarwal, Sr. Adv.  
Dr. Shailesh R. Patel, Adv.  
Ms. Anushree Prashit Kapadia, AOR  
Mr. Pranay Bhardwaj, Adv.  
Mr. Shivank S Singh, Adv.  
Mr. Pragya Jaishwal, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Permission to file special leave petition is granted.
2. The petitioner's grievance is against the impugned order dated 12.02.2026 passed by a learned Single Judge of the High Court of

Gujarat. The order has been passed after recording a statement of the Assistant Public Prosecutor that an application received from the petitioner by the police authorities shall be taken into consideration while registering the FIR. That complaint was against the petitioner. We are informed that during the course of the hearing, an FIR has already been registered.

3. In our considered view, the appropriate recourse for the petitioner, at this stage, would be to seek quashing of the FIR before the High Court, taking all such pleas, which have been averred before us in this petition.

4. It is clarified that if the petitioner adopts such recourse, the impugned order dated 12.02.2026 passed in R/Special Criminal Application (Direction) No.2024/2026 shall not cause any impediment against him for the purpose of the grant of interim or final relief. Such a petition shall be decided as per its own merits.

5. With a view to enabling the petitioner to approach the High Court, it is directed that no coercive action shall be taken for a period of two weeks. However, this interim relief shall have no bearing on the grant of interim or final relief by the High Court.

6. The Special Leave Petition is, accordingly, disposed of.

7. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR