

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 767 of 2013**

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HEMANTKUMAR MAHESHANAND NAITHANI

Versus

STATE OF GUJARAT & 3 other(s)

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Appearance:

MR MANAN A SHAH(5412) for the Applicant(s) No. 1

MR PP MAJMUDAR FOR respondent no. 4

MR PRAVAN TRIVEDI APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 10/04/2023

ORAL ORDER

1. This application is filed for issuance of necessary direction to carry out further investigation in connection with FIR being CR No.I-262 of 2012, registered with Fatehganj Police Station, Vadodara for the offences punishable under Section 408 of the Indian Penal Code. The applicant being a Director of the Company, further prays for addition of Sections 405, 406 and 420 of the Indian Penal Code as well as Sections 66, 66B, 66E and 72 of the Information Technology Act.
2. The respondent no.2 being an ex-employee of the complainant Company, have also filed a quashing petition being Special Criminal Application No. 3100 of 2012 in connection with the impugned FIR as referred above. The quashing petition filed by the respondent no.4 being SCR.A No. 3100 of 2012 was heard at length and on merits, same has been allowed by this Court vide order dated 10.04.2023. In

view of the order of quashing of the FIR, this Court is of the opinion that, no case is made out for issuance of direction to carry further investigation in the case. Hence, present petition is dismissed.

P.S. JOSHI

(ILESH J. VORA,J)