

Gujarat High Court

Kantibhai vs State on 30 June, 2008

Author: H.N.Devani,&Nbsp

Gujarat High Court Case Information System

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CR.MA/8383/2008 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL

MISC.APPLICATION No. 8383 of 2008

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KANTIBHAI
KHUSHALBHAI PATEL & 2 - Applicant(s)

Versus

STATE
OF GUJARAT & 1 - Respondent(s)

=====

Appearance :
MR
VIMAL A PUROHIT for Applicant(s) : 1 - 3.
MRS.ML
SHAH, ADDL. PUBLIC PROSECUTOR for Respondent(s) : 1,
None for
Respondent(s) : 2,
=====

CORAM

:

HONOURABLE

MS.JUSTICE H.N.DEVANI

Date
: 30/06/2008

ORAL
ORDER

Mr.Vimal Purohit, learned advocate for the petitioner has tendered draft amendment. The same is granted. Amendment to be carried out forthwith.

Heard Mr.Vimal Purohit, learned advocate for the petitioner.

The learned advocate for the petitioner has drawn the attention of the Court to the judgement and order dated 31st March, 2008 passed by this Court in Criminal Miscellaneous Application No.1673 of 2008 and Criminal Miscellaneous Application No.1684 of 2008, wherein this Court has, in the case of similarly situated co-accused, allowed the petition by quashing the complaint in question.

Having regard to the submissions advanced by the learned advocate for the petitioner, issue Rule returnable on 15th July, 2008. By way of ad-interim relief, further proceedings pursuant to Criminal Complaint registered vide Katargam Police Station, Surat City I ? C.R. No.46 of 2008, is hereby stayed.

Mrs.M.L.Shah, learned Additional Public Prosecutor waives service of notice on behalf of the respondent No.1 ? State of Gujarat.

Direct service is permitted qua respondent No.2.

[HARSHA DEVANI, J.] parmar* Top