

Gujarat High Court

Surmaji vs State on 10 September, 2008

Author: M.R. Shah,&Nbsp

Gujarat High Court Case Information System

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CR.MA/4531/2008 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL

MISC.APPLICATION No. 4531 of 2008

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SURMAJI
THANAJI BHOI & 17 - Applicant(s)

Versus

STATE
OF GUJARAT & 1 - Respondent(s)

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Appearance
:
MR
EKANT G AHUJA for
Applicant(s) : 1 - 18.
MR.M.R.MENGDEY, ADDL. PUBLIC PROSECUTOR for
Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2,
MR
PRAVIN GONDALIYA for Respondent(s) :
2,
=====

CORAM

:

HONOURABLE

MR.JUSTICE M.R. SHAH

Date
: 10/09/2008

ORAL
ORDER

Present Criminal Misc. Application is filed by the applicant under Section 482 of the Code of Criminal Procedure to quash and set aside the M.Case No.15 of 2007 registered at Shamlaji Police Station for the offence punishable under Sections 143, 147, 148, 436, 392, 395, 427, 506 (2) and 114 of the IPC.

Shri Ekant Ahuja, learned Advocate for the applicant has submitted that the charge-sheet is already filed and therefore he seeks permission to withdraw the present application with a liberty to submit discharge application before the trial Court. However, he has requested that a suitable observation be made that the same shall be considered in accordance with law and on merits and without in any way being influenced by the present withdrawal of the application.

Application is accordingly dismissed as withdrawn with above liberty and, as and when such discharge application is submitted, the same shall be decided by the trial Court in accordance with law and on merits and without in any way being influenced by the fact that the petitioner has withdrawn the present application. Notice discharged. Ad-interim, relief granted earlier is vacated.

(M.R.SHAH, J.) sompura Top