

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 9604 of 2022**

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SURAJ S/O ASHOKKUMAR UBHRANI
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MOHAMADZAI I SAIYED(8411) for the Applicant(s) No. 1
NOTICE SERVED for the Respondent(s) No. 2
MR. JAY MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 12/03/2024

ORAL ORDER

- 1.** Heard Mr. Mohamadzaid I. Saiyed, learned counsel appearing for the applicant and learned APP Mr. Jay Mehta for the respondent - State.
- 2.** The applicant is in the business of tyre and tube. According to the case of the prosecution, he was used to sell the tube as mentioned in the FIR, to accused No. 3 - Abdulkarim @ Gabbar. Except the act of selling the tube to the accused No. 3, nothing being alleged against him in relation to the allegation of narcotics administered to the juvenile.
- 3.** It is reported that case is not committed to the Court of Sessions by the Magistrate Court. Considering this aspect, the proceedings of the questioned FIR shall remain

stayed ***till further orders.***

- 4.** Issue **Rule** returnable on **11.06.2024**. Learned APP Mr. Jay Mehta waives service of notice of Rule on behalf of respondent - State.

- 5.** The trial Court before whom the case is pending, is at liberty to proceed against the co-accused on its own merits and in accordance with law and shall not wait for the outcome of this application.

AMAR SINGH

(ILESH J. VORA,J)