

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (HABEAS CORPUS) NO. 11025 of  
2023****=====**  
**PANDYA KALPNABEN W/O MAULIN KUMAR D/O MANUPRASAD JOSHI**  
**Versus**  
**STATE OF GUJARAT**  
**=====**

Appearance:

**MADANSINGH O BAROD(3128) for the Applicant(s) No. 1**  
**DS AFF.NOT FILED (N) for the Respondent(s) No. 3,7**  
**MR VICKY B MEHTA(5422) for the Respondent(s) No. 4,5,6**  
**NOTICE SERVED BY DS for the Respondent(s) No. 2**  
**MR. H.K. PATEL, APP for the Respondent(s) No. 1**  
**=====****CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE**  
**and**  
**HONOURABLE MR. JUSTICE RAJENDRA M. SAREEN****Date : 06/11/2023****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)**

1. Learned APP has reported to the Court that the matter is still being inquired into trace out the corpus. It is submitted that the corpus was leading rather lonely life and had good relation with the family of the respondent No.4; with whom he was in continuous touch for helping the respondent No.4 in carrying out his Tiffin service and also used to have meals sometime at their place. It is also such relation is 11 years old relation and therefore, at this stage, there is nothing to doubt that the respondents have any hand behind missing of the respondent No.7- corpus or the money i.e. withdrawal.

2. Both the respondent No.4 as well as the petitioner are present in the Court and have interacted with regard to accounts, which has been maintained for repayment and according to the respondent No.4, the amount which is due and payable to the extent of Rs.3,00,000/-, part of which is still being paid through one relative of the respondent No.4 on whose behalf, the money was borrowed, is repaying in part to the petitioner to which there is no denial.

3. In view of the overall facts situation, it appears that the respondent No.7 on his own volition appears to have withdrawn from the society to lead isolated life.

4. Therefore, learned APP has submitted that the efforts will be made with the cooperation of the petitioner to identify the place, where the probability of tracing out the corpus.

5. The respondents may file Affidavit to clear their stand in this regard specially accounting, which has placed on record. The issue of undertaking Narco Analysis is still kept open. In view of the aforesaid, **S.O. to 05-12-2023.**

**(A.Y. KOGJE, J)**

**(RAJENDRA M. SAREEN,J)**

PARESH SOMPURA