

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 224/2017

(Arising out of impugned final judgment and order dated 15-07-2016 in CRMA No. 16536/2014 passed by the High Court of Gujarat at Ahmedabad)

MUKESHBHAI BHIKHUBHAI PATEL

Petitioner(s)

VERSUS

STATE OF GUJARAT &amp; ANR.

Respondent(s)

(FOR [PERMISSION TO FILE ANNEXURES] ON IA 3337/2017  
FOR EXEMPTION FROM FILING O.T. ON IA 3338/2017)

Date : 18-08-2017 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE SANJAY KISHAN KAULFor Petitioner(s) Mr. Harin P.Rawal, Sr.Adv.  
Mr. Pradhuman Gohil, Adv.  
Mr. Vikash Singh, AOR  
Ms. Taruna Singh, Adv.  
Mr. Himanshu Choubey, Adv.  
Ms. Ishita Singh, Adv.For Respondent(s) Mr. V. Madhukar, Adv.  
Mr. Mohit D. Ram, AOR  
Ms. Anvita Cowsish, Adv.Ms. Hemantika Wahi, AOR  
Ms. Jesal Wahi, Adv.  
Ms. Mamta Singh, Adv.  
Ms. Shodhika Sharma, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

(USHA RANI BHARDWAJ)

AR CUM PS

Signed order is placed on the file.

(SAROJ KUMARI GAUR)

BRANCH OFFICER

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1441 OF 2017

(Arising out of S.L.P. (Criminal) No.224/2017)

MUKESHBHAI BHIKHUBHAI PATEL .. APPELLANT (S)

Versus

STATE OF GUJARAT & ANR. .. RESPONDENT (S)

O R D E R

Leave granted.

The present appeal is against the judgment dated 15<sup>th</sup> July, 2016 by which the F.I.R. has been quashed. According to us, after hearing learned counsel for the parties, it is clear that the F.I.R. dated 2<sup>nd</sup> July, 2014 does contain allegations that the alleged will dated 7<sup>th</sup> April, 2004 is a forged document which has come to the knowledge of the complainant only in 2014.

This being the case, it is difficult to accede to the submission of learned counsel for the respondents that the present is a case where he has been harassed unnecessarily. The F.I.R. on the face of it contains allegations of forgery which are serious in nature and will be investigated in due course.

In the result, we set aside the judgment of the High Court and the appeal is allowed.

.....J.  
[ROHINTON FALI NARIMAN]

.....J.  
[SANJAY KISHAN KAUL]

NEW DELHI,  
AUGUST 18, 2017.

