

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 128 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? Yes
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy
of the judgement?
 4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
2 to 5 No

RANJITBHAI DEVAYATBHAI KHACHAR

Versus

NAZABHAI PUNJABHAI DHANDBHAI KATHI

Appearance:

MR MUKTESH V PATEL for Petitioner
MR MRUGEN K PUROHIT for Respondent No. 1
MR AJ DESAI, APP for Respondent No. 3

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 31/03/98

ORAL JUDGEMENT

Heard learned Advocate Mr.M.V.Patel for
petitioner, learned Advocate Mr. Murgan K. Purohit for
Respondent No.1 and learned APP Mr. A.J. Desai for
respondent No. 3 - State. Rule. Learned Advocate Mr.
Purohit and learned APP Mr.Desai waive service of rule on

behalf of respondents No.1 & 3 respectively. Respondent No.2 served.

2. During the hearing, learned APP has stated at the Bar that a charge sheet has been filed in a competent court of Jasdan in respect to subject FIR given by present petitioner, and as such, the prayer made in the present petition does not survive. However, it is clarified that petitioner shall be at liberty to move the competent court for further investigation of any offence, if the petitioner is not satisfied with the investigation report submitted by the Investigation Officer in the court of JMFC, Jasdan, District Rajkot.

3. On the basis of the above stated discussion, present petition stands disposed of with the above stated observation. Rule is discharged. No order as to costs.

p.n.nair