

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CRIMINAL APPLICATION (MODIFICATION/DELETION OF
CONDITION) NO. 3602 of 2015**

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PATEL BABULAL ALIAS BHAILALBHAI MOHANLAL....Applicant(s)

Versus

STATE OF GUJARAT & 5....Respondent(s)

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Appearance:

MR RN JASKIA, ADVOCATE for the Applicant(s) No. 1

MR. SHAH, ADDL. PUBLIC PROSECUTOR for the RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE J.B.PARDIWALA**Date : 18/01/2016****ORAL ORDER**

1. In a private complaint lodged by the petitioner herein, he has named five persons as the accused. After an inquiry under section 202 of the Code of Criminal Procedure, 1973, the Magistrate thought fit to issue process only against the accused Nos. 1 and 2. It appears that the Magistrate did not deem fit to take cognizance so far as the other persons named in the complaint are concerned. Being dissatisfied with such order, the petitioner-original complainant has come up with this application.

2. The remedy available is to file a criminal revision application under section 401 read with section 397 of the Code of Criminal Procedure, 1973. It shall be open for the petitioner to avail of the appropriate legal remedy before the

appropriate forum in accordance with law.

3. With the above, this application is disposed of without going into the merit of the matter.

Direct service is permitted.

(J.B.PARDIWALA, J.)

Vahid