

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 15784 of 2017

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SIMRANBEN SUKETUBHAI PATEL

Versus
STATE OF GUJARAT

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Appearance:

MR RAVI N SHAH(6513) for the PETITIONER(s) No. 2
PETITION WITHDRAWN/DISMISSED(73) for the PETITIONER(s) No. 1
MR.NIRAJ ASHAR, AGP for the RESPONDENT(s) No. 1
NOTICE SERVED BY DS(5) for the RESPONDENT(s) No. 2,3

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CORAM: HONOURABLE MR.JUSTICE S.G. SHAH

Date : 28/03/2018
ORAL ORDER

RULE. Learned AGP waives service of notice of rule on behalf of respondent-State.

Learned AGP is in receipt of communication dated 07.09.2017 from the P.I., Adajan Police Station, Surat City, copy of which is to be taken on record disclosing that there is no proposal to detain the petitioner.

It is clarified that herein after, the detaining authority shall not detain the petitioner under the PASA Act on account of offence/s registered vide FIR being III-C.R.No.55 of 2017 with Adajan Police Station, Surat. However, the competent authority is at liberty to initiate proceeding under the PASA Act against the petitioner in respect of other offence/s, if any registered and incriminating materials found and made available after the disposal of present petition.

In view of such disclosure, the present petition at pre-detention stage does not survive and hence, it is disposed of accordingly. Rule is made absolute. Direct service is permitted.

(S.G. SHAH, J)

VARSHA DESAI