

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 7605 of 2021**

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PALAK VISHVASKUMAR PATEL THRO DARSHAN RAMESHBHAI PATEL
Versus
STATE OF GUJARAT

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Appearance:

NILAY H PATEL(7856) for the Applicant(s) No. 1
KSHITIJ M AMIN(7572) for the Respondent(s) No. 4
NOTICE NOT RECD BACK(3) for the Respondent(s) No. 5
NOTICE SERVED(4) for the Respondent(s) No. 2,3
MS SHRUTI PATHAK, APP (2) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 29/10/2021

ORAL ORDER

1. The record indicates that though notice is served through e-mail to newly added respondent no.5, no any official communication being sent to Mr. Devang Vyas, learned Additional Solicitor General for appearing in the matter. However, Mr. Vyas, learned Additional Solicitor General has appeared and has assisted the Court.

2. Heard Mr. Nilay H. Patel, learned advocate appearing for the applicant, Mr.Kshitij Amin, learned Standing Counsel for the Respondent No.4 and Ms. Shruti Pathak, learned APP for Respondent-State.

3. In this application, under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, the applicant has prayed for the following reliefs:

“(B) Your Lordships be pleased to direct the Respondent No.2 to issue the Police Clearance Certificate to the Petitioner herein;

(C) Your Lordships be pleased to further direct that the respondent No.2 issue the Police Clearance Certificate to the petitioner at the earliest and not later than 7 days from the date of the order of this Hon’ble Court on account of the specific urgency of the petitioner;

(D) Your Lordships be pleased to further direct the respondent Nos.4 – Regional Passport Authority, Ahmedabad, to immediately process with the PCC application of the petitioner after receiving the clearance certificate from the Police Authority;”

4. It appears from the record that there was a complaint against the present applicant by her in-laws under Section 406, 420, 120B and 114 of IPC which has not been culminated into FIR. It further appears from the record of the application that the present applicant is having Indian Passport bearing No.M 4242372, which is valid till 09.12.2024. It further appears from the record of the application that the applicant has applied for immigration Visa with the Government of Canada.

5. In the background of these facts, the applicant has applied for Police Verification Certificate with the Competent Police Authority.

6. In response to the notice issued by this Court, Mr. Kshitij Amin, learned Central Government Counsel on behalf of Respondent No.4, has submitted that his office is waiting for the report from Mansa Police Station.

7. Considering the aforesaid facts of the case, the police authorities have issued police verification certificate. The respondent no.4, Regional Passport Office, Ahmedabad and respondent no.5, Consul General, Office of Consulate General of India are hereby directed to process the application of the applicant for issuance of police clearance certificate as expeditiously as possible, preferably within a period of 15 days from the date of receipt of this order.

8. Accordingly, this application is disposed of with the aforesaid observation. Direct Service is permitted.

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(ILESH J. VORA,J)