

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 6330 of 2015****With****SPECIAL CRIMINAL APPLICATION NO. 6339 of 2015****With****SPECIAL CRIMINAL APPLICATION NO. 6263 of 2015****With****SPECIAL CRIMINAL APPLICATION NO. 6264 of 2015****With****SPECIAL CRIMINAL APPLICATION NO. 6265 of 2015**

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HARDIK BHARATBHAI PATEL THRO. HIS FATER BHARATBHAI NARSIBHAI
PATEL....Applicant(s)
Versus
STATE OF GUJARAT & 1....Respondent(s)

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Appearance:

MR BM MANGUKIYA, ADVOCATE for the Applicant(s) No. 1

MS BELA A PRAJAPATI, ADVOCATE for the Applicant(s) No. 1

MR KAMAL B. TRIVEDI, ADVOCATE GENERAL with MR J.K. SHAH,
ADDL.PUBLIC PROSECUTOR for the Respondent(s) No. 1**CORAM: HONOURABLE MR.JUSTICE J.B.PARDIWALA****Date : 18/12/2015****ORAL ORDER BELOW SPEAKING TO MINUTES**

This is a note for speaking to minutes filed by the State of Gujarat, with a prayer to delete the observations made by this Court, in paragraph 62 of the judgment and order, delivered by this Court dated 1.12.2015 in Special Criminal Application No. 6330 of 2015 and connected matters.

Mr. Kamal B. Trivedi, the learned Advocate General appearing for the State submitted that paragraph 62 in the judgement was not relevant or necessary for the

purpose of deciding the main matter, and in such circumstances, paragraph 62 may be deleted.

Mr. B.M. Mangukiya, the learned advocate who appeared for the original applicant in the main matter submitted that he has no objection if paragraph 62 is ordered to be deleted from the original judgment. He, in fact, made a fervent appeal to the Court to delete the entire paragraph 62.

I am of the view that having regard to the relief prayed for in the main matter, which was an application under Section 482 of the Criminal Procedure Code, for quashing of the F.I.R, paragraph 62 was not relevant or necessary for deciding the main matter.

In such circumstances, the prayer of the State is accepted and the entire paragraph 62 is ordered to be deleted from the original judgment passed by this Court in the case of Hardik Bharatbhai Patel Vs. State of Gujarat and ors., Special Criminal Application No. 6330/15 and connected matters.

With the above, this note for speaking to minutes is disposed of.

The Registry shall act accordingly, so far as effecting the correction in the original judgment and order is concerned. The Registry shall issue a fresh certified copy of the corrected judgment and order, after deleting paragraph 62 of the judgment. The Registry is directed to effect the necessary deletion in the original judgment today itself and issue a fresh certified copy with the necessary corrections.

(J.B.PARDIWALA, J.)

Mohandas