

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DIRECTION) NO. 286 of 2026**

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ALITY PAPER INDUSTRIES PRIVATE LIMITED THRO SANIL PRAKASH
MEHTA & ORS.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MALAV M MULANI(8844) for the Applicant(s) No. 1,2,3
MR. HARDIK DAVE, PUBLIC PROSECUTOR WITH MR. KANVA ANTANI,
APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY

Date : 23/02/2026

ORAL ORDER

Learned Senior Advocate appearing for the petitioners has submitted that the notification impugned in the present petition has been issued by the Secretary in the Home Department, however in view of the provisions of Section 163 of the BNSS, 2023, it would be the Executive Magistrate who had the power to issue such notifications and the notification in question is issued without any authority.

Learned Public Prosecutor without entering into the merits of the matter, has made a statement that as an interim arrangement, the further proceedings of the FIRs registered on the basis of the impugned notification, be stayed.

Having regard to the aforesaid statement being made, issue rule returnable on 23.06.2026 and by way of interim relief, the further proceedings of the FIRs registered on the basis of the impugned notification, are stayed. The muddamal, if any, seized by the Police authorities, is ordered to be returned to

the petitioners upon execution of personal bond worth Rs.20,000/- subject, however outcome of the present petition.

RAVI OZA

(M. R. MENGDEY,J)