



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 19917 of 2025

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HARDIK BHARATBHAI PATEL
Versus
STATE OF GUJARAT

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Appearance:
RAFIK LOKHANDWALA(5590) for the Applicant(s) No. 1
MR TRUPESH KATHIRIYA, PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 29/09/2025

ORAL ORDER

Rule. Learned APP waives service of rule for the Respondent-State.

1. By way of this application, the applicant has prayed for the following reliefs;

“7. ...

A. Your Lordships be pleased to admit and allow this application in the interest of justice.

B. Your Lordships be pleased to quash and set aside the order dated 26.08.2025 passed by the ld. 3rd Additional Judicial Magistrate First Class, Ahmedabad (Rural) in Criminal Case No. 11926 of 2022, whereby, the exemption



application of the Applicant (Exh. 40) came to be rejected and a non-bailable warrant was issued against the Applicant, in the interest of justice;

C. Pending admission, hearing and / or final disposal of this application, Your Lordships may be pleased to stay the execution, implementation and operation of the order dated 26.08.2025 passed by the Id. 3rd Additional Judicial Magistrate First Class, Ahmedabad (Rural) in Criminal Case No. 11926 of 2022, whereby, the exemption application of the Applicant (Exh. 40) came to be rejected and a non-bailable warrant was issued against the Applicant, in the interest of justice;

D. Your Lordships may be pleased to pass such other and further orders, as this Honourable Court may deem fit and proper in the facts and circumstances of the case of the applicant, in the interest of justice.”

2. At the outset, learned Advocate, Mr. Lokhandwala, appearing for the applicant tendered an undertaking filed by the applicant, which reads thus;

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Undertaking

I, Hardik Bharatbhai Patel, Male, Aged about 32 years, Occupation: Social Work and Member of Legislative



Assembly, Residing at C/1, Zalavadia Society, Bahucharaji Char Rasta, Viramgam, Dist. Ahmedabad do hereby solemnly affirm and file this undertaking and state on oath as under:-

That I will remain present before the learned 3rd Additional Judicial Magistrate First Class, Ahmedabad (Rural), Navrangpura, Ahmedabad, for attending the proceedings of Criminal Case No. 11926 of 2022 and thereafter, on subsequent dates, unless exempted by the trial Court in respect of the said case.

... ”

3. Heard. In view of the undertaking tendered by the applicant today, which is ordered to be taken on record, since, an assurance is given that the applicant will regularly attend the Court proceedings, unless an exemption is granted by the concerned trial Court, this application is **allowed** the non-bailable warrant issued by the concerned Court vide order dated 26.08.2025 in Criminal Case No. 11926 of 2022 is quashed and set aside. It is clarified that this Court has not examined the merits of the matter. Rule is made absolute, accordingly.

UMESH/-

(NIRZAR S. DESAI,J)