

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 681 of 2025**

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RAJNISH GHANSHYAMDAS CHAWLA & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MS MARIYA M DALAL(3957) for the Applicant(s) No. 1,2

MR. TIRTHRAJ PANDYA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 20/01/2025****ORAL ORDER**

[1] Heard learned advocate Ms. Mariya Dalal for the petitioners and learned APP for the respondent State.

[2] Learned advocate Ms. Mariya Dalal for the petitioners has drawn my attention towards the FIR and has submitted that FIR is filed after delay of three years of the alleged incident and the petitioners are near relatives and considering the allegations made in the FIR, no believable offence is made out. Hence, considering all these aspects, continuation of the proceeding pursuant to the FIR would amount to an abuse of process of law and, therefore, in light of the above, she has prayed for interference of this Court.

[3] Learned APP for the respondent – State has strongly

opposed the submissions made at the bar and has submitted that on bare reading of the FIR, *prima facie*, case is made out against the present petitioners and as investigation is at very initial stage, therefore, the Court may not interfere at this stage as such powers should be exercised very sparingly.

[4] Considering the submissions made at the bar, matter requires consideration. Let notice as well as notice to interim relief be issued to the other side making it returnable on 11.03.2025. Learned APP waives service of notice for and on behalf of respondent – State.

DIWAKAR SHUKLA

(SANDEEP N. BHATT,J)