

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 287 of 2024**

**With  
CRIMINAL MISC.APPLICATION (FOR STAY) NO. 1 of 2024  
In R/SPECIAL CRIMINAL APPLICATION NO. 287 of 2024**

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HIREN RASHMIKANT BRAHMBHATT & ORS.

Versus  
STATE OF GUJARAT & ANR.

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1,2,3,4,5  
MR ANKIT Y BACHANI(5424) for the Respondent(s) No. 2  
MS. MAITHILI MEHTA, ADDL. PUBLIC PROSECUTOR for the  
Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

**Date : 02/09/2024**

**ORAL ORDER**

1. Learned advocate Mr. P.P. Majmudar places on record a draft amendment. The same is taken on record and granted. To be carried out forthwith.
2. Heard learned advocate Mr. Majmudar for the petitioner, learned advocate Mr. Ankit Bachani for the respondent no. 2 and learned APP Ms. Maithili Mehta for the respondent – State.
3. At the outset, learned advocate for the applicant, does not pres this petition qua the petitioner no. 1 who happens to be the husband and confines this petition only the petitioners no. 2 to 5. Accordingly, the petition stands dismissed as not

pressed qua the petitioner no. 1.

4. According to learned advocate Mr. Majmudar, the petitioners no. 2 to 5 are the in-laws who are falsely implicated by way of impugned FIR, there are no specific allegations against them and there are allegations of general nature levelled against the petitioners no. 2 to 5 only with a view to pressurize the husband and therefore, they are required to be protected.
5. Though, learned advocate Mr. Bachani opposed this petition, he also could not point out that there are any specific allegations against the petitioners no. 2 to 5 in respect of any specific incident and the majority of the allegations are only against the husband.
6. Considering the aforesaid submissions, issue RULE. Learned Additional Public Prosecutor waives service of notice of rule on behalf of respondent – State and learned advocate Mr. Bachani waives service of notice on behalf of private respondent.
7. In the meantime, there shall be interim relief in terms of paragraph no. 27 (BB) qua the petitioners no. 2 to 5 only.

VARSHA DESAI

**(NIRZAR S. DESAI,J)**