

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 559 of 2025**

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BHUMIBEN VINUBHAI PARMAR
Versus
STATE OF GUJARAT & ANR.

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Appearance:

KUMAR H TRIVEDI(9364) for the Applicant(s) No. 1
MS. JYOTI BHATT, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 22/01/2025

ORAL ORDER

1. Heard learned advocate Mr. Kumar H. Trivedi for the petitioner and learned APP, Ms. Bhatt for the respondent – State.

2. Learned advocate for the petitioner has submitted that the present petitioner is the accused No.9 in the FIR and allegedly having relationship with the husband of the original complainant and therefore, she has also made accused in the offence punishable under Section 85 and 54 of the Bharatiya Nyaya Sanhita, 2023. Learned advocate, in support of his submissions, has relied upon the judgment of the Hon'ble Apex Court in the case of U. Suvetha Vs. State by Inspector of Police reported in 2009 (6) SCC 757, more particularly, para 18, whereby, it is held that by no stretch of imagination a girl friend or even a concubine in an

etymological sense would be a 'relative'. Therefore, he prays for granting of any appropriate relief to the petitioner.

3. Learned APP has opposed the submissions made at the bar on behalf of the petitioner and submitted that the investigation is at nascent stage and therefore, no interference of this Court is called for, at this stage.

4. Considering the averments made in the petition as well as submissions made at the bar, matter requires further consideration.

5. Issue **Notice**, returnable on **17.03.2025**. Learned APP waives service of notice for and on behalf of the respondent – State. Direct service is permitted.

6. Interim relief in terms of para 5(B) is granted till the next date of hearing.

(SANDEEP N. BHATT,J)

SLOCK BAROT

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SLOCK BAROT(HC01781), PRIVATE SECRETARY, at High Court of Gujarat on 22/01/2025 14:59:54