

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 1086 of 2025**

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AAREFA RAFIK SAMOL &amp; ORS.

Versus

STATE OF GUJARAT &amp; ANR.

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Appearance:

MR. ALTAF Y CHARKHA(7271) for the Applicant(s) No. 1,2,3

MR. MEET THAKKAR, APP for the Respondent(s) No. 1

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**CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT****Date : 27/01/2025****ORAL ORDER**

[1] Heard learned advocate Mr.Altaf Charkha for the applicants and learned APP for the respondent State.

[2] Learned advocate Mr. Charkha for the applicants has submitted that on bare reading the of impugned FIR, it transpires that present petitioners, who are in-laws of the respondent No.2 are falsely implicated in the alleged offence and the allegations are general in nature. 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, he 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 applicants, and, therefore, the Court may not interfere at this stage as such powers should be exercised very sparingly.

[4] Looking to the averments and allegations made in the FIR, and considering the submissions made at the bar, it appears that the applicants are in-laws of the respondent No.2 and the allegations are general in nature. Hence, matter requires consideration. Let **NOTICE** be issued to the other side making it returnable on 20.03.2025. Learned APP waives service of notice for and on behalf of respondent – State.

[5] Meanwhile, interim relief in terms of para 12(C) is granted till the next date of hearing.

**(SANDEEP N. BHATT,J)**

DIWAKAR SHUKLA

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: DIWAKAR SHUKLA(HC01778), PRIVATE SECRETARY, at High Court of Gujarat on 27/01/2025 17:14:04