

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 1350 of 2025**

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SWEETY SHANKAR ADVANI & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VIRAT G POPAT(3710) for the Applicant(s) No. 1,2

MS. VRUNDA SHAH, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 10/02/2025****ORAL ORDER**

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

[2] Learned advocate for the applicants has raised the contention that the compliant is actually filed on 03.12.2019 and for the first time, verification of the complainant is recorded on 03.02.2024 and the order under Section 202 of the Cr.P.C. is issued on 21.03.2024 and, therefore, he has submitted that considering the provisions of Section 468 of the Cr.P.C. and considering the offence allegedly committed by the applicants, there is bar of Section 468 as cognizance cannot be taken and there is delay in taking cognizance of such complaint. Hence, considering all these aspects, continuation of the proceeding pursuant to the FIR/complaint

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] Considering the submissions made at the bar, matter requires further consideration. Let **NOTICE** be issued to the other side making it returnable on 03.04.2025. Learned APP waives service of notice for and on behalf of respondent – State.

[4] Meanwhile, interim relief in terms of para 13(c) is granted till the next date of hearing.

(SANDEEP N. BHATT,J)

DIWAKAR SHUKLA