

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 2880 of 2026**

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PARESHBHAI KANTILAL PATEL

Versus

STATE OF GUJARAT & ANR.

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Appearance:

ADITYA A GUPTA(7875) for the Applicant(s) No. 1

MS KRINA CALLA, LD.ADDL. PUBLIC PROSECUTOR for the Respondent(s)
No. 1

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CORAM:HONOURABLE MR. JUSTICE VIMAL K. VYAS

Date : 21/04/2026

ORAL ORDER

1. Heard learned advocate Mr.Aditya Gupta appearing for the applicant-accused and learned Additional Public Prosecutor Ms.Krina Calla appearing for the respondent No.1- State.

2. Perused the entire material on record along with the impugned FIR.

3. It is the case of the prosecution that the present applicant borrowed an amount of Rs.36 Lakh from the deceased in the year 2014 and he has not returned the same to the deceased and therefore, the deceased committed suicide in the year 2024.

4. The Court has considered the suicide note of the deceased, which provides details of various transactions entered into by the deceased with other persons. It also appears that there is no evidence on record suggesting any incitement, instigation or provocation by the applicant. Further, the evidence on record is silent as to what had happened soon before the incident. Considering the aforesaid, it prima facie appears that the elements of the offence of abetment are lacking.

5. Issue **NOTICE** to the respondents, making it returnable on 13.07.2026.

6. Learned APP Ms.Krina Calla waives service of Notice for and on behalf of the respondent No.1 – State of Gujarat.

7. In the meantime, let there be an ad-interim relief in terms of Para 9(b) of the application qua the present applicant, till the returnable date.

(VIMAL K. VYAS, J)

DIPTI PATEL