

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 2378 of 2021**

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PREMILABEN RANABHAI MAKVANA & ANR.

Versus

THE STATE OF GUJARAT & ANR.

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Appearance:

MR.KIRIT R CHAUDHARI(3745) for the Applicant(s) No. 1,2

NOTICE SERVED for the Respondent(s) No. 2

MR HIMANSHU PATEL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA**Date : 04/10/2024****ORAL ORDER**

Heard learned advocate Mr.Kirit R. Chaudhari for the petitioners and learned Additional Public Prosecutor Mr.Himanshu Patel for the respondent No.1 - State. The respondent No.2 - original complainant, though served, chosen not to appear.

Learned advocate Mr.Kirit R. Chaudhari for the petitioners, at the outset, submitted that the main accused, namely, Sureshbhai Kantibhai Ranava, against whom the allegation of rape was made, his case was considered by the Coordinate Bench of this Court in Criminal Misc. Application No.14879 of 2020 on the ground of settlement.

Learned advocate for the petitioners further submitted

that even otherwise, the role attributed to the present applicant being a lady, is not grave and serious in nature, but only being implicated so as to give harassment.

Considering the aforesaid, issue **Rule** returnable on 6.2.2025.

Learned Additional Public Prosecutor waives service of notice of Rule.

Notice of Rule be served upon the original complainant through the concerned police station.

In the meanwhile, all the consequential proceedings arising from the impugned FIR are stayed qua the present applicant.

V.J. SATWARA

(NIRAL R. MEHTA,J)