

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION NO. 3604 of 2022

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MAHENDRASINH BABUSINH THAKOR

Versus

STATE OF GUJARAT

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Appearance:

MR PRATIK B BAROT(3711) for the Applicant(s) No. 1
for the Respondent(s) No. 2

MR RONAK RAVAL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 17/03/2022

ORAL ORDER

Leave to amend the prayer clause is granted.

Heard learned advocate for the applicant. It is submitted that the impugned FIR and the proceedings filed pursuant thereto are nothing but a gross abuse of the process of the Court. It is submitted that for the alleged incident which had taken place on 27.2.2021, the impugned FIR is filed on 19.3.2021. In the meantime, the respondent no.2-complainant had given written complaint on 28.2.2021 to Police Inspector, Bopal Police Station wherein she has not alleged against the present applicant that the present applicant is using abusive language and gave kick and fist blow to her. Learned advocate thereafter, referred the statement given by the respondent no.2 on 1.3.2021 pursuant to the written complaint given on 28.2.2021. After reading the aforesaid documents, it is contended that in the impugned FIR, the applicant has been falsely implicated with malafide intention.

In view of the aforesaid submission, Notice returnable on 27.7.2022. Learned APP waives service of notice for respondent-state. Till next date of hearing, ad-interim relief in terms of paragraph 8(C) is granted.

(VIPUL M. PANCHOLI, J)

SRILATHA