

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION NO. 2111 of 2023**

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ANURAG ABHAY GUPTA
Versus
STATE OF GUJARAT

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Appearance:

MR P P MAJMUDAR(5284) for the Applicant(s) No. 1,2,3
for the Respondent(s) No. 2
MR JK SHAH, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 13/02/2023

ORAL ORDER

1. Heard Mr. P. P. Majmudar, learned counsel for the applicants.
2. Mr. Majmudar, learned counsel appearing on behalf of the applicants does not press this application qua applicant No.1 - Anurag Gupta. Hence, the present application is disposed of as not pressed qua applicant No.1.
3. The applicant Nos.2 and 3, who are mother-in-law and sister-in-law of respondent No.2 - wife have prayed for quashing of FIR being C.R.No. 11196001230006 of 2023 registered with Vadodara City Mahila Police Station, Vadodara City, for the offence as mentioned in the memo of petition as well as other consequential proceedings arising therefrom.
4. Learned counsel for the applicants would submit that, since October, 2021, wife is living separately at her parental home. He would submit that, the allegations are vague and general and therefore, the questioned proceeding is nothing, but a sheer misuse

of process of law.

5. From the record, prima facie, it appears that due to marital discord with the husband, she has filed present FIR implicating the applicants against whom no any specific instance of harassment having been alleged.

6. In such circumstances, this Court is of prima facie view that matter deserves consideration. **Rule**, returnable on **06.06.2023**. Mr. JK Shah, Id. APP waives Rule for the State. Meanwhile, with continuation of investigation, I.O shall not file charge-sheet against applicant Nos. 2 and 3 and also follow the directions issued by the Apex Court in the case of **Arnesh Kumar Vs. State of Bihar [(2014) 8 SCC 273]**. Trial Court is at liberty to proceed further against the husband – applicant No.1 in accordance with law.

Direct service is permitted.

(ILESH J. VORA,J)

SUCHIT