

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 3621 of 2022**

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UTTAMBHAI HEMANTBHAI DEVMURARI

Versus

STATE OF GUJARAT

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Appearance:

MR ANVESH V VYAS for the Applicant(s) No. 1,2,3,4

MR SANJU J NAKHVA for the Applicant(s) No. 1,2,3,4

for the Respondent(s) No. 2

MR LB DABHI APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI**Date : 17/03/2022****ORAL ORDER**

Learned advocate for the applicants does not press this application qua the applicant no.1. Hence, this application stands disposed of as not pressed qua the applicant no.1. Therefore, the present application is confined to the applicant nos.2 to 4.

Learned advocate submitted that the respondent no.2 – complainant has implicated all the family members of the original accused no.1 – husband in the impugned FIR and the impugned FIR is nothing but a gross abuse of the process of the Court. It is further submitted that the marriage span of the respondent no.2 with the original accused no.1 is 11 months only and as per the case of the complainant, she is residing

separately since last 7 months from the date of filing of the FIR.

In view of the above submissions, issue **Notice** returnable on 26th July, 2022.

Learned APP waives service of notice for respondent – State of Gujarat.

Till next date of hearing, ad-interim relief in terms of Para No.11(C) is granted qua the applicants only.

(VIPUL M. PANCHOLI, J.)

Gautam