

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 3116 of 2025

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RAHEMTULLA BHIKHABHAI KUMBHAR & ORS.

Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR HARSHAD K PATEL(2844) for the Applicant(s) No. 1,2,3
MS JYOTI BHATT, APP for the Respondent – State

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 12/02/2025

ORAL ORDER

1. Learned advocate Mr. Patel does not press this application qua applicants No.1 and 2, who are husband and mother-in-law. Therefore, present application is dismissed qua applicants No.1 and 2. Accordingly, the present application is considered by this Court qua applicants No.2 and 3 only.

2. Learned advocate Mr. Patel submits that applicant No.3 is a father-in-law; and that he is falsely implicated in the offence in question with a view to harass old aged person; and that no specific allegations are made against him being father-in-law.

3. Learned APP for the State has opposed the

submissions made by the learned advocate for the applicants and has submitted that the applicant No.3 is involved in the offence and this Court may not exercise the powers in his favour.

4. Considering the averments made in this application as well as considering the submissions made at the bar, this Court finds that prima facie case is not made out against applicant No.3. The matter requires consideration.

5. Notice returnable on 07.04.2025. Learned APP waives service of notice for and on behalf of the respondent – State. In the meantime, interim relief in terms of Para : 7(D) of this application is granted, qua applicant No.3 only.

M.H. DAVE

(SANDEEP N. BHATT,J)