

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL APPEAL (AGAINST ACQUITTAL) NO. 460 of 2026

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BIRBALSINH VADANSINH CHAUHAN (DARBAR)
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR ANKIT Y BACHANI(5424) for the Appellant(s) No. 1
PUBLIC PROSECUTOR for the Opponent(s)/Respondent(s) No. 1

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CORAM: **HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
HONOURABLE MR. JUSTICE D. M. VYAS

Date : 30/04/2026

ORAL ORDER
(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)

Mr. Ankit Bachani, learned Advocate, has submitted that the judgment, suffers from the perversity inasmuch as, there is a clear evidence of the Doctor at exhibit-85 who, has made a reference to the clinical examination of the dental surgeon as well as the report of the Radiologist. It is submitted that if the report of the dental surgeon as well as the Radiologist, is read in juxtaposition, the age of the victim, was less than 18 years. However, those evidence have been discarded.

Admit. Mr. Utkarsh Sharma, learned Additional Public Prosecutor waives service of rule on behalf of the respondent no.1- State. Issue bailable warrant in the sum of Rs.10,000/- against the respondent no.2- accused.

(SANGEETA K. VISHEN,J)

(D. M. VYAS, J)

Anuj