

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 660 of
2026**

In R/SPECIAL CRIMINAL APPLICATION/9707/2025

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NIRUBEN MANSUKHBHAI MAKWANA

Versus

**RAVI TEJA VASAMSETTY DISTRICT SUPERINTENDENT OF
POLICE**

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Appearance:

MR SANDIP M PATEL(5649) for the Applicant(s) No. 1

**Mr. Aakash Gupta, Asst. GOVERNMENT PLEADER for the
Opponent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE

and

HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 15/07/2026

ORAL ORDER

(PER : HONOURABLE MS. JUSTICE NISHA M. THAKORE)

1. The present application is preferred by the original complainant, who is the mother of the deceased- Mayur Mansukhbhai Makwana praying for appropriate directions to punish the respondent herein for the willful disobedience of the order passed by this Court dated 15th September 2025 in Special Criminal Application No. 9707 of 2025 *inter alia* contending that despite specific directions issued by this Court to look into the representation/complaint at Annexure 'A' (produced in the original writ petition) and to inform the present applicant in writing about the same by assigning reasons in brief within a period of four weeks from the date of such order, the same has not been followed.

2. Considering the averments made in the petition, this Court vide oral order dated 23rd April 2026, had issued notice upon the respondent. In response to the aforesaid notice, an affidavit-in-reply has been filed by the Police Inspector of Sector-21, Gandhinagar Police Station. In the said affidavit, the deponent has tendered an unconditional apology on behalf of the respondent and has stated that a detailed investigation was conducted by the respondent authorities with regard to the representation dated 5th March 2026 submitted by the applicant. The inquiry revealed that the unfortunate demise of the applicant's son was by suicide. In view thereof, a 'C' Summary report has been submitted on 9th March 2026 before the Higher Officer. It is further stated that during the course of the investigation, the statements of relatives of the deceased and other independent witnesses have been recorded to ascertain the root cause of the incident. The necessary legal formalities have also been followed. It is further stated that the applicant has also been informed about the inquiry conducted by the Investigating Officer in compliance with the directions dated 15th September 2025 issued by this Court in Special Criminal Application No. 9707 of 2025 vide communication dated 5th March 2026. It is therefore, prayed that there is no deliberate inaction on the part of the respondent to not comply with the directions issued by this Court.

3. We have heard Learned Advocate Mr. Sandeep M. Patel

appearing for the applicant and learned Assistant Government Pleader Mr. Aakash Gupta appearing on behalf of the respondent. We have carefully considered the submissions made by the learned advocate for the applicant and have also perused the affidavit filed by Respondent No. 1. We have also gone through the investigating case papers produced on record along with the said affidavit. On perusal of the aforesaid record, it appears that pursuant to the registration of the FIR dated 14th March 2025, the Investigating Officer has recorded the statements of the related witnesses and has also recorded the statements of independent witnesses. Though, such statements appear to have been recorded during the course of the inquiry, which is prior to the issuance of directions of this Court in the writ petition, it further transpires that the final opinion on the cause of death was awaited after the postmortem was performed on 17th March 2025. The postmortem report dated 17th March 2025 of the deceased suggests the probable cause of death as asphyxia due to drowning; however, the Medical Officer had kept the final opinion pending as samples were forwarded to the FSL for histopathology examination. It appears that the said FSL report has been forwarded to the Investigating Officer on 18th February 2026. On chemical analysis, the Scientific Officer has opined that there is no presence of poisonous material in the sample. The microscopic examination undertaken by the Department of Pathology suggests that the Medical Officer could not opine on the cause of death. It

is also required to be noted that no external injuries were found on the deceased. With such material being collected by the Investigating Officer, the Investigating Officer has submitted a 'C' Summary report to the Higher Officer. In view of the above, we are of the view that the respondent has inquired into the representation made by the applicant, as directed by this Court in the order dated 15th September 2025 by assigning its reasons. As recorded by this Court in the aforesaid order dated 15th September 2025 Special Criminal Application No. 9707 of 2025, a liberty has been reserved by the learned Judge in case of an adverse outcome of to move appropriate proceedings before appropriate forum, we are of the view that no willful disobedience of the directions dated 15th September 2025 can be said to have been committed by the respondent to consider in contempt jurisdiction. Veracity of the correctness of the "C" Summary report filed by the Investigating Officer cannot be adjudicated in contempt jurisdiction when the specific direction sought to enforce in the present contempt proceedings were limited to the extent to look into the representation and to decide the same by giving brief reasons.

4. For the foregoing reasons, the present petition is disposed of. However, it shall always be open for the applicant to file appropriate proceedings before the appropriate Forum/Court in case the applicant intends to challenge the 'C' Summary report submitted by the

Investigating Officer. It is clarified that any observations made by this Court shall not come in the way of the concerned Court as and when such a challenge is made to the 'C' Summary report and it shall always be open to the concerned Court to appreciate the merits of the case as per the provisions of law.

Notice discharged.

sd/-

(A.Y. KOGJE, J)

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(NISHA M. THAKORE,J)

RATHOD KAUSHIKSINH