

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC. APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO.4686 of 2022

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PARVATIBEN ARVINDBHAI SOLANKI & ANR.
Versus
STATE OF GUJARAT & ANR.

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Appearance :

MRS REKHA H KAPADIA for the Applicant Nos.1,2

MR. B A PATEL for the Respondent No.2.

MR RONAK RAVAL, APP for the Respondent No.1.

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 15/07/2025
ORAL ORDER

Learned advocate Mrs. Rekha Kapadia draws attention of the Court that applicant No.2 - Arvindbhai Solanki has expired. She has placed on record a xerox copy of death certificate of applicant No.2. The same is taken on record. Therefore, the present petition would not survive qua applicant No.2 and the same stands disposed of qua applicant No.2.

2. Though name of learned advocate Mr. B. A. Patel is shown as advocate appearing for respondent No.2, he was absent when the matter was called out. Therefore, he could not be heard.

3. On 28.3.2022, coordinate Bench of this Court while issuing notice directed that no coercive steps be taken against the applicants and no charge-sheet be filed against the applicants without prior permission of this Court.

4. Learned advocate Mrs. Rekha Kapadia for the

applicants submitted that complainant is habitual in filing false complaints and today when the Court inquired from the learned APP about whether during the course of investigation after the order dated 28.3.2022, any material could be collected against the applicants or not, upon instructions, learned APP Mr. Ronak Raval stated that except for statements of family members, there is no independent material against the applicants.

5. However, as learned advocate Mr. A. B. Patel appearing for respondent No.2 was absent, no version of the complainant could be heard.

6. However, considering the fact that during investigation, no additional material is found against the applicants except statements of the family members, issue **Rule**. Learned Additional Public Prosecutor waives service of rule on behalf of respondent No.1 - State. Direct service to respondent No.2 through concerned Police Station is permitted.

In the meantime, there shall be interim relief in terms of paragraph 6 (B).

(NIRZAR S. DESAI,J)

SAVARIYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAJNISH NARENDRA SAVARIYA(HC00179), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 15/07/2025 14:50:25