

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION NO. 5823 of 2021

=====

MOHAMMEDZAIID IBRAHIM SAIYED

Versus

STATE OF GUJARAT

=====

Appearance:

MR SAMIR B GOGDA(11306) for the Applicant(s) No. 1

RAJVI N PATEL(9620) for the Applicant(s) No. 1

NOTICE SERVED(4) for the Respondent(s) No. 2

PUBLIC PROSECUTOR(2) for the Respondent(s) No. 1

=====

CORAM: HONOURABLE MR. JUSTICE VIPUL M. PANCHOLI

Date : 06/01/2022

ORAL ORDER

Though served, none appears for the respondent no.2. Learned advocate for the applicant submitted that the impugned FIR is nothing but a gross abuse of the process of the Court. It is further submitted that even the ingredients of the alleged offences are prima facie not made out. Learned advocate has thereafter contended that the respondent no.2-complainant filed FIR under Sections 498A, 323 and 114 of the Indian Penal Code against the present applicants and another co-accused. Thereafter, she filed another FIR for the offences punishable under Sections 506(2) and 114 of the Indian Penal Code and this Court has granted protection to the present applicants and other co-accused. Copy of the said orders are placed on record. It is submitted that now the third FIR is filed, once again under Sections 498A, 323, 506(2) and 114 of the Indian Penal Code.

In view of the aforesaid submission, stand over to 22.4.2022. Till next date of hearing, further proceedings pursuant to the registration of the impugned FIR are hereby stayed.

(VIPUL M. PANCHOLI, J)

SRILATHA