

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 4094 of 2026**

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JIGNESHBHAI BHALABHAI PRAJAPATI

Versus

SEJALBEN D/O MAHESHBHAI PRAJAPATI W/O JIGNESHBHAI
BHALABHAI PRAJAPATI & ANR.

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Appearance:

MR SHALIN MEHTA, Senior Advocate with MR VAIBHAV A VYAS(2896) for
the Applicant(s) No. 1

MR HARDIK SONI, APP for the Respondent(s) No. 2

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CORAM: HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 25/03/2026****ORAL ORDER**

1. Learned Senior Advocate appearing for the petitioner submitted that the respondent herein had submitted an application before the learned Family Court under Section 144(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The learned Family Court had ordered issuance of summons to the petitioner which was served upon the petitioner on 26.02.2026 and upon service of the said summons, the petitioner had appeared before the learned Family Court and had requested for time. However, instead of granting time to the petitioner, vide order dated 20.02.2026, the learned Family Court had allowed the application filed by the other side under Section 144(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 by observing that the petitioner herein has been avoiding service of summons issued by the learned Family Court, though, the summons had already been served upon the petitioner on 26.02.2026. He further submitted that the petitioner is ready and willing to deposit the

amount of Rs.5 lakhs before the learned Family Court subject to rights and contentions which may be available to the petitioner in the revision application filed against the order of grant of maintenance to respondent.

2. Having regard to the same, issue Notice returnable on 22.07.2026. Learned APP waives service of Notice on behalf of respondent – State.

3. Ad-Interim Relief in terms of Para-8(B) is granted till the next date.

4. The petitioner shall deposit the amount of Rs.5 lakhs within period of 15 days from today.

AHS

(M. R. MENGDEY,J)