

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 7234 of 2026

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MITESH BABUBHAI (MYATRA) AHIR & ORS.
Versus
STATE OF GUJARAT & ANR.

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Appearance:
MR BM MANGUKIYA(437) for the Applicant(s) No. 1,2,3,4,5,6
MS BELA A PRAJAPATI(1946) for the Applicant(s) No. 1,2,3,4,5,6
MR JAY MEHTA, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE ILESH J. VORA

Date : 08/04/2026

ORAL ORDER

1. By way of this application, the applicants seek quashing of FIR lodged with Anjar Police Station, District: Kachchh East - Gandhidham for the offence punishable under Sections 115(1), 296(b) and 54 of Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Learned advocate Mr. B.M. Mangukiya appearing for and on behalf of the applicants would submits that, this is a case of abuse of process of law and the allegations as made in the FIR, does not fall under the provisions of the Atrocities Act. He would further submits that, 4 to 5 FIRs under the Prohibition Law being registered against the complainant and he is used to file false criminal proceedings for oblique motive. In such circumstances, it

is prayed that, by way of interim relief, the applicants may be protected.

3. Having regard to the allegations made in the FIR and on perusal of the copies of FIRs allegedly registered against the complainant, I am of the prima-facie view that, case is made out for granting interim relief qua the provisions of the Atrocities Act.

4. In such circumstances, let **Rule** be issued returnable on **09.06.2026**. Meanwhile, the proceedings of FIR so far as provisions of the Atrocities Act are concerned, is hereby stayed till further orders.

However, it is made clear that, the Investigating Officer shall proceed with the investigation under Sections 115(1), 296(b) and 54 of B.N.S., 2023. Direct service is permitted.

TAUSIF SAIYED

(ILESH J. VORA,J)