

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CRIMINAL APPEAL (AGAINST ACQUITTAL) NO. 1361 of 2026**

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HITESHBHAI BHARATBHAI KORADIYA

Versus

LALITBHAI DAMJIBHAI CHAVDA &amp; ORS.

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Appearance:

DIPAKKUMAR D PRAJAPATI(9318) for the Appellant(s) No. 1

MR UTKARSH SHARMA, APP for the Opponent(s)/Respondent(s) No. 4

YAGNESHKUMAR S JOSHI(8074) for the Opponent(s)/Respondent(s) No. 1

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CORAM:**HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**

and

**HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI  
DESAI****Date : 23/07/2026****ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

Mr Dipakkumar D. Prajapati, learned advocate for the appellant submitted that the complaint was filed on 07.01.2021 (incorrectly mentioned as 07.11.2021). It is submitted that there is no dispute that the altercation had taken place between the appellant and the family members of his wife and against the appellant and the offence is alleged to have been committed under section 302 of the Indian Penal Code, 1860. As a result of the altercation, the appellant has also received injuries. The said fact, is proved from the medical evidence. The learned Judge, has although believed the injuries the accused have been acquitted on the ground that the appellant has not named that which injury is inflicted by which accused.

2. Mr Yagneshkumar S. Joshi, learned advocate for the

respondent no.1, has vehemently opposed by submitting that in fact, in the altercation that took place, the appellant has been charged with the offence under section 302 inasmuch as, the husband of the accused no.3 and her another daughter, have been killed.

4. It is informed that the appellant against the conviction has preferred a Criminal Appeal and is pending before this Court.

4. Heard the learned advocates appearing for the respective parties.

5. **Admit.** Mr Yagneshkumar S. Joshi, learned advocate waives service of notice of admission on behalf of the respondent no.1. Mr Utkarsh Sharma, learned Additional Public Prosecutor waives service of notice of admission on behalf of the respondent no.4. For respondent nos.2 and 3, bailable warrant be issued for a sum of Rs.5,000/- each.

**(SANGEETA K. VISHEN,J)**

**(UTKARSH THAKORBHAI DESAI, J)**

BINOY B PILLAI