

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 6590 of 2023**

=====

MORSINGHBHAI GAMARSINGHBHAI RATHVA

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

**MS. MAYURI P CHAUHAN(7069) for the Applicant(s) No. 1
for the Respondent(s) No. 2**

**MR UTKARSH SHARMA ADDITIONAL PUBLIC PROSECUTOR for
the Respondent(s) No. 1**

=====

CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 25/06/2024

ORAL ORDER

1.Heard learned advocate Ms. Mayuri P. Chauhan
appearing for the applicant.

2.Learned advocate Ms. Mayuri Chauhan points out
that the offence has taken placed on 26.2.2023
whereas the FIR is registered after about ten
days on 9.3.2023 and there is no justification
coming forward from the FIR except for the fact
that the first informant was very much afraid on
that day. Learned advocate Ms. Mayuri Chauhan

further points out that the allegation in the FIR are of general in nature and of scuffle and therefore, the impugned FIR is nothing but abuse and misused of process of law.

3.Considering the aforesaid submissions, as the Court finds that for an incident which has taken placed on 26.2.2023, an FIR is registered on 9.3.2023, issue **NOTICE** to the respondents making it returnable on **1.8.2024**. In the meantime, there shall be ad-interim relief in terms of paragraph No. 9(c). Direct service through concerned police station is permitted.

(NIRZAR S. DESAI,J)

Pallavi