

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 3330 of 2020

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ABHISHEK KUMAR MISHRA
Versus
STATE OF GUJARAT

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Appearance:

MR ABHISHEK KUMAR MISHRA – APPLICANT -IN PERSON
MR L B DABHI, APP for the Respondent State
MS YASHMA MATHUR, ADVOCATE for the COMPLAINANT

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CORAM:HONOURABLE MR. JUSTICE PARESH UPADHYAY

Date : 28/08/2020

ORAL ORDER

1. Heard, Mr.Abhishek Kumar Mishra, applicant in person, Ms.Mathur, learned advocate for the complainant and Mr.Dabhi, learned Additional Public Prosecutor for the State. All are heard at length by the Court through Video Conference.
2. Mr.Mishra, the applicant states that, in addition to the copy which is already given by him to the Registry, he shall give copy through email to the learned advocate for the respondent No.2 (the complainant) and learned Additional Public Prosecutor, not later than tomorrow.
3. Since learned advocate for the respondent No.2 is aware of facts, she has addressed the Court on merits of the matter as well. This Court has considered the aspects regarding :- the year of marriage, two minor children, custody of the children with the complainant -lady (mother), other litigations between the parties and issues connected therewith, which are put to

the notice of this Court. On conjoint consideration of all this, this Court finds that, till the matter is heard further, the applicant who is otherwise normal resident of Haryana, needs to be protected.

4. For the above reasons, it is ordered that till further orders, no coercive action shall be taken against the applicant - Abhishek Kumar Mishra in connection with the FIR, in question. With a view to see that the grievance of the respondent No.2 can also be appropriately taken into consideration by this Court, and if required, the assistance of the learned Additional Public Prosecutor can also be taken into consideration, considering the averments made in the petition, list for further consideration on 03.09.2020.

(PARESH UPADHYAY, J)

SALIM/BHATI/27