

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 5845 of 2025**

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SIDDHARTHKUMAR NARENDRA SHIHORA

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VANDAN K BAXI(5863) for the Applicant(s) No. 1

NANAVATI & NANAVATI(1933) for the Applicant(s) No. 1

MR JK SHAH, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR****Date : 09/09/2025****ORAL ORDER**

1. Heard Mr. Sudhir Nanavati, learned Senior Counsel assisted by Mr.Vandan Baxi, learned counsel for the petitioner and Mr. Shah, learned APP for the respondent State.

2. By way of this petition, the petitioner has prayed for quashing and setting aside the FIR being C.R.No. 11216002240025 of 2024 registered at Mahila Police Station, Gandhinagar, for the offence under Sections 85, 352, 115(2), 351(1), 351(3) and 54 of the BNS as well as other consequential proceedings arising therefrom.

3. Learned Senior Counsel has submitted that, the petitioner is falsely roped in the offence and has not committed any offence as alleged against him. Marriage was solemnized on 16.02.2021. The petitioner who is husband of complainant was working at France and after Covid lock down, the complainant had joined with the petitioner and resided together at Paris, where alleged incident took place. Both the petitioner and complainant returned India on 21.07.2024. Allegation levelled against the petitioner is that, parents of the petitioner had instigated to give divorce to the complainant and kept the gold – silver ornaments of the complainant. In this regard, complaint came to be filed. It is also submitted that, prior to that,

one complaint was filed before Mahila Police Station, Gandhinagar and pursuant to the same, statements of the petitioner and his parents were recorded. The petitioner had left his France job and expressed his desire to resolve the matter amicably. Thereafter, the complainant also joined with the petitioner. Allegation levelled against the petitioner is that, at the instance of the parents of the petitioner on mobile, the petitioner caused cruelty to the complainant. Allegations are general in nature.

4. Learned APP has opposed the present petition and contended that, chargesheet has been filed since long and in column No.2, the petitioner is shown as an absconder accused. Even today, he is not in India and therefore, no leniency should be shown. In such circumstances, no any relief may be granted.

5. In view of the facts of the case, petition deserves consideration. Hence, **Rule**, returnable on **16.10.2025**. Ld. APP waives Rule for the respondent State.

6. Meanwhile, **ad-interim relief in terms of para 12 (B)** is granted. Respondent No.2 to be served through the concerned Police Station. However, the petitioner is directed to join and cooperate with the investigation.

(HASMUKH D. SUTHAR,J)

SUCHIT