

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC.APPLICATION (FOR QUASHING & SET ASIDE
FIR/ORDER) NO. 8236 of 2025

=====

MAHENDRABHAI VINODBHAI GAMOT
Versus
STATE OF GUJARAT & ANR.

=====

Appearance:

MS RHEA CHOKSHI(10808) for the Applicant(s) No. 1
MR. ROHAN SHAH, LD.ADDL. PUBLIC PROSECUTOR for the
Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE DIVYESH A. JOSHI

Date : 25/04/2025

ORAL ORDER

Learned senior advocate Mr. Barot assisted by learned advocate Ms. Rhea Chokshi appearing for the applicant submits that the impugned FIR is nothing but a sheer abuse of process of law being filed with an ulterior motive to settle the score with the present applicant in the FIR filed by the applicant against the father of the respondent No.2-complainant who committed murder of the brother of the applicant. The entire story put forth by the respondent No.2-complainant is concocted one, created only with a view to pressurize and harass the present applicant. Learned senior advocate Mr. Barot also submits that the so called incident alleged to have been occurred on 05.04.2025 for which the FIR came to be lodged on 12.04.2025, and as such, there is a delay of almost a week in registering the impugned FIR. Thus, the present FIR is nothing, but a malafidely instituted

proceeding with an ulterior motive to wreak havoc on the applicant and is nothing less than a gross abuse of the process of law. Hence, the same is required to be quashed and set aside, and till then, the applicant is required to be protected.

Considering the aforesaid submissions, issue Notice, making it returnable on 01.08.2025. Learned APP waives service of notice for and on behalf of the respondent No.1-State.

The investigation may proceed further in accordance with law. However, no coercive steps be taken against the applicant herein till the next date of hearing.

Direct service is permitted, to be served through the concerned police station.

(DIVYESH A. JOSHI,J)

VAHID