

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (DOMESTIC VIOLENCE) NO. 6541
of 2025**

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YOGESHBHAI MOHANBHAI PATEL & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR. JAY M THAKKAR(6677) for the Applicant(s) No. 1,2,3

MR MANAN MAHETA, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE DIVYESH A. JOSHI****Date : 07/05/2025****ORAL ORDER**

1. Learned advocate, who appears on behalf of Mr. Jay M. Thakkar, learned advocate for the applicants submits that the respondent no.2 had instituted the complaint under the provision of Domestic Violence Act against the applicants. He further submits that the applicant no.1 herein is the father-in-law; the applicant no.2 herein is the mother-in-law and the applicant no.3 is the sister-in-law of the respondent no.2. He further submits that the marriage of the son of the applicant nos.1 and 2 solemnized with respondent no.2 on 19.01.2023 as per the Hindu rites and rituals, but before that, their marriage was registered before the Sokhda Gram Panchayat, Vadodara on 17.05.2022. He further submits that after the marriage, the respondent no.2 had started to reside at her matrimonial home and then-after, the respondent no.2 had gone to Canada on 18.09.2023 as her husband is residing at Canada. He further

submits that if the Hon'ble Court would make cursorily glance upon the body of complaint, in that event, it would have been found that all the reliefs claimed by the respondent no.2 are against the husband and the husband is not before this Court.

Learned advocate further submitted that in-fact, based upon the same set of allegations, the respondent no.2 herein had filed FIR against the applicants under the provisions of Section 498A of IPC, wherein, this Hon'ble Court has considered the allegations levelled against the applicants and protected the applicants vide order dated 04.03.2025 passed in Special Criminal Application no.3073 of 2025.

2. Considering the submission canvassed by the learned advocate for the applicants, there is merit in the application. Hence, **Issue Notice** to the respondents, returnable on **31.07.2025**. Learned Additional Public Prosecutor waives service of notice for and on behalf of the respondent -State of Gujarat.

In the meantime, let there be an ad-interim order in terms of Paragraph-8(C) qua the present applicants herein.

Direct service through concerned police station is permitted.

A. B. VAGHELA

(DIVYESH A. JOSHI,J)