

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 7873 of 2025**

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SHAILESH KHENGARBHAI MUDETHIYA & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR HARICHANDRA K BAROT(10835) for the Applicant(s) No. 1,2,3,4,5,6

MR.O K BAROT(7056) for the Applicant(s) No. 1,2,3,4,5,6

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

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 26/06/2025****ORAL ORDER**

1. Heard learned advocates for the respective parties.
2. By way of this application under Section 528 of the BNSS, the applicant has prayed to quash and set aside the complaint being C.R. No.11195016250168 of 2025 registered with Deesa North Police Station, Banaskantha, as well as all the consequential proceedings arising therefrom.
3. "It appears that Applicant No.1 is the husband of the complainant; Applicant No.2, Khengarabhai Dalabhai Mudethiya, is her father-in-law; Applicant No.3, Naynaben, is her mother-in-law; Applicant No.4, Dixitkumar Khengarabhai Mudethiya, is her brother-in-law; and Applicant No.5, Bhartiben, wife of Dixitkumar Khengarabhai Mudethiya, is her sister-in-law. It is alleged that all the applicants subjected the complainant to physical and mental harassment for not bringing sufficient dowry and also issued threats. The complainant was verbally

abused, physically assaulted, and continuously tortured, which ultimately led to the filing of the present FIR.

4. Considering the fact that the allegations levelled against the applicant No.2 to 5 are general in nature and in view of the judgment passed by the Hon'ble Court in the case of **Achin Gupta V. State of Haryana, 2024 INSC 369**, issue requires consideration. Hence, **RULE returnable on 22.08.2025**. Learned APP waives service of notice of Rule for the respondent-State. Respondent No.2 be served through concerned police station.

5. **No coercive steps shall be taken against the applicant No.2 to 5 only.** Direct service is permitted.

ALI

(HASMUKH D. SUTHAR,J)